

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-FOURTH CONGRESS, SECOND SESSION.

SENATE.

TUESDAY, February 13, 1917.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast taught us in Thy Word that if we are to look for a new heaven and a new earth it will be through the balance of the powers that Thou hast committed to us, powers of our civil, social, and religious life. The path of progress means the maturing of the full life of man, for Thou who didst send to us the message of life Divine hast said, I came that ye might have life and have it more abundantly. May we enter into such personal and intimate spiritual contact with God as that our lives may show forth that Divine conception of life and ever become fuller and diviner in its expression of service and sacrifice. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. JAMES and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, S. Dak.	Overman	Smith, Md.
Brandege	Jones	Page	Smith, S. C.
Bryan	Kenyon	Penrose	Smoot
Chamberlain	Kirby	Pittman	Stone
Chilton	La Follette	Ransdell	Sutherland
Culbertson	Lea, Tenn.	Reed	Swanson
Cummins	Lodge	Robinson	Thompson
Fall	McCumber	Saulsbury	Tillman
Fernald	McLean	Shafrath	Townsend
Fletcher	Martin, Va.	Sheppard	Vardaman
Gallinger	Martine, N. J.	Sherman	Wadsworth
Hollis	Myers	Shields	Weeks
James	Nelson	Simmons	Williams
Johnson, Me.	Oliver	Smith, Ga.	Works

Mr. MARTINE of New Jersey. I beg to announce that the Senator from Oklahoma [Mr. GORE] is detained from the Senate owing to illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House:

S. 1061. An act to allow additional entries under the enlarged homestead act;

S. 1553. An act for the relief of Peter Kenney;

S. 2222. An act for the relief of the heirs of Antoine Bayard;

S. 2749. An act for the relief of George L. Thomas;

S. 2880. An act for the relief of Martin V. Parmer;

S. 3681. An act for the relief of the owners of the steamship

Esparta;

S. 3743. An act to reimburse John Simpson;

S. 5203. An act for the relief of Gardiner L. Eastman;

S. 5632. An act for the relief of Aquila Nebeker;

S. 5985. An act authorizing the Commissioner of Navigation to cause the steamship *Republic* to be enrolled and licensed as a vessel of the United States;

S. 6595. An act to reimburse William Blair for losses and damages sustained by him by the negligent dipping of his cattle by the Bureau of Animal Industry, Department of Agriculture;

S. 6956. An act to authorize the construction, maintenance, and operation of a wagon bridge across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark.;

S. 7367. An act to authorize the construction and maintenance of a bridge across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark.;

S. 7556. An act to grant to the Mahoning & Shenango Railway & Light Co., its successors and assigns, the right to construct, complete, maintain, and operate a combination dam and bridge and approaches thereto across the Mahoning River, near the borough of Lowellville, in the county of Mahoning and State of Ohio;

S. 7713. An act granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation;

S. 7924. An act authorizing the county of Beltrami, Minn., to construct a bridge across the Mississippi River in said county;

H. R. 8492. An act to restore homestead rights in certain cases; and

H. R. 8669. An act authorizing the Secretary of the Interior to extend the lease of certain land in Stanley County, S. Dak., for a buffalo pasture.

SAN JUAN COUNTY BRIDGE, NEW MEXICO.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 5424) to construct a bridge in San Juan County, State of New Mexico, which was to strike out all after the enacting clause and insert:

That the Secretary of the Interior is hereby authorized and directed to cause to be constructed a steel bridge across the San Juan River in San Juan County, State of New Mexico, at the best and most available location west or southwest and near to the town of Farmington, in said county and at a cost to the Government of the United States not to exceed \$25,000, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expense and cost of constructing said bridge: *Provided*, That said sum is to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of the Navajo Indians of the State of New Mexico.

Mr. CATRON. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PAYMENT OF CLAIMS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1878) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section 151 of the act approved March 3, 1911, commonly known as the Judicial Code.

Mr. BRYAN. I move that the Senate disagree to the amendments of the House and ask a conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. ROBINSON, and Mr. GRONNA conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by E. T. Taylor, jr., one of its clerks, announced that the House had passed the following bills:

S. 809. An act authorizing the Secretary of the Interior to accept the application for land entry of Richard Daeley;

S. 1361. An act for the relief of Thomas Smart; and

S. 1378. An act to amend the military record of John P. Fitzgerald.

The message also announced that the House agrees to the amendment of the Senate to the bill (H. R. 455) to define the rights and privileges of the trustees of municipally owned interstate railways and construing the act to regulate commerce with reference thereto.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LEVER, Mr. LEE, and Mr. HAUGEN managers at the conference on the part of the House.

The message also announced that the House agrees to the amendment of the Senate No. 13 to the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; agrees to the amendment of the Senate No. 98 with an amendment, in which it requested the concurrence of the Senate; disagrees to the remainder of the amendments of the Senate to the bill; requests a conference with the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. PAGE of North Carolina, Mr. McANDREWS, and Mr. DAVIS of Minnesota managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1764. An act for the relief of John Minahan, alias John Bagley;

H. R. 2212. An act for the relief of George F. Reid;

H. R. 2743. An act for the relief of the widow of Joseph C. Akin;

H. R. 3253. An act for the relief of Hudson Bros., of Norfolk, Va.;

H. R. 4626. An act to reimburse the Farmers' Savings Bank of Brandon, Iowa, for currency destroyed by fire;

H. R. 5091. An act for the relief of Preston B. C. Lucas;

H. R. 5182. An act requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington;

H. R. 5690. An act for the relief of Alfred Rebsamen;

H. R. 5948. An act for the relief of Hays Gaskill;

H. R. 9335. An act for the relief of Mrs. W. E. Crawford;

H. R. 10255. An act for the relief of David Kirch;

H. R. 10869. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation in South Dakota;

H. R. 10872. An act making an appropriation to Stuart, Lewis, Gordon & Rutherford, in payment of legal services rendered by them to the Creek Nation;

H. R. 13354. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 13754. An act for the relief of Charles A. Carey;

H. R. 14345. An act to reimburse J. B. Patterson, postmaster of Lacon, Morgan County, Ala., for certain postage stamps stolen;

H. R. 14679. An act for the relief of Jacob B. Moore;

H. R. 14695. An act for the relief of Mrs. H. O'Neill;

H. R. 14754. An act for the relief of Charles M. Way;

H. R. 15233. An act for the relief of William A. Persons;

H. R. 15644. An act for the relief of James S. Risher; and

H. R. 16116. An act for the relief of Adelaide L. Gibbs, widow of Robert M. Gibbs.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 17055) providing when patents shall issue to the purchaser or heirs on certain lands in the State of Oregon, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present a resolution of the Board of Trade of Brookline, Mass., indorsing the action of the President in severing diplomatic relations with Germany. I ask that the resolution be printed in the RECORD without reading. It is a very brief one.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

BROOKLINE BOARD OF TRADE,
Brookline, Mass., February 9, 1917.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SIR: It is with pleasure that I affix hereto a copy of the resolution which it was my privilege to present at the meeting of the Brookline Board of Trade last evening and which was unanimously adopted and ordered spread upon our records:

Resolved, That we, members of the Brookline Board of Trade, in meeting assembled, heartily indorse the action of Woodrow Wilson, President of these United States, in severing diplomatic relations with Germany, and fully realizing the possible consequences, but recogniz-

ing no lines of party, race, or creed, do hereby pledge our loyal, patriotic support to the President and the Congress of the United States in this grave national crisis."

Cordially, yours,

W. D. ALLEN, Secretary.

Mr. LODGE presented petitions of the Fitchburg Training School, of Fitchburg, and of Old Middlesex Chapter, Sons of the American Revolution, of Lowell, in the State of Massachusetts, praying for compulsory military training, which were ordered to lie on the table.

Mr. OLIVER. I have here three short telegrams relating to postage on second-class mail matter, which I should like to have printed in the RECORD. The first of them I should like to have read by the Secretary.

There being no objection, the telegrams were ordered to be printed in the RECORD and the first one was read by the Secretary, and they were ordered to lie on the table, as follows:

PHILADELPHIA, PA., February 12, 1917.

Senator OLIVER,
United States Senate, Washington, D. C.:

Change in second-class postal rates would seriously affect business of American Baptist Publication Society and cripple the work of over 12,000 Baptist Sunday schools. We seek a hearing.

GUY C. LAMSON, Secretary.

SMETHPORT, PA., February 12, 1917.

Hon. GEORGE T. OLIVER,
Senate of the United States, Washington, D. C.:

If proposed increase of second-class postal rate goes through it will be the ruin of many hundreds of publications. Publishers simply can not stand any increase in second-class postal rate at this time. The increased cost of paper alone has already wiped out a large number of publications.

THE BOYS' MAGAZINE.

NEW YORK, February 12, 1917.

Hon. GEORGE T. OLIVER,
Washington, D. C.:

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate it will be impossible for them to survive.

THE CHRISTIAN HERALD.

Mr. OLIVER presented a petition of the Socialist Party of McKeesport, Pa., praying that no further action be taken that would involve this country in war with Germany, which was referred to the Committee on Foreign Relations.

Mr. JONES. I have a telegram here from Mr. J. F. Duthie & Co., of Seattle, and also one from the Chamber of Commerce, of Aberdeen, Wash., protesting against the proposed amendment to the shipping act by which vessels built here can not enter navigable waters until they become owned by American citizens. They are similar to the telegrams I submitted yesterday, which were printed in the RECORD. I ask that the telegrams be referred to the Committee on Commerce.

The VICE PRESIDENT. They will be so referred.

Mr. JONES presented a petition of sundry citizens of Lake Samish, Wash., praying for national prohibition, which was ordered to lie on the table.

Mr. CHAMBERLAIN. Referring to the statement of the Senator from Washington [Mr. JONES] I desire to say that I have received a number of telegrams along the same line as those he presented yesterday and along the line of his statement this morning, protesting against the enactment of any law which might provide that no vessel now being constructed or to be constructed in the United States shall enter upon the navigable waters of the United States unless owned by citizens of the United States. I have not thought it necessary to print them in the RECORD, because I have received a good many from citizens in my State and I merely desire to call attention to them.

Mr. MARTINE of New Jersey. I present a petition of members of Princeton University, Princeton, N. J., tendering military service. I ask that it be printed in the RECORD.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

GENTLEMEN: We, the undersigned, members of Princeton University, Princeton, N. J., hereby petition the Congress of the United States to enact immediately legislation establishing in the United States a system of compulsory universal military training. We, as men upon whom the burden of such training would naturally fall, believe that under actual existing circumstances the time has now arisen when such a step should be taken.

Mr. MARTINE of New Jersey. I present a telegram from A. A. Gray, of Chicago, Ill., protesting against an increase in rates on second-class postage, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Hon. JAMES E. MARTINE,
Washington, D. C.:

CHICAGO, February 10, 1917.

The associated business papers representing publishers of professional, scientific, industrial, and business journals of this country, respectfully request your assistance in opposing at this time any increase in rates for second-class postage. Our publications are all struggling under great increases in cost of paper, printing material, and labor. Any increase now would impose extra burden from which many publishers of very valuable publications, rendering great service to the country, could not recover.

A. A. GRAY, President.

Mr. MYERS. I present a memorial from the Legislature of Montana, favoring the enactment of hydroelectric power legislation, which I ask may be printed in the RECORD.

There being no objection, the memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

House joint resolution — (Introduced by Harbert.)

A resolution memorializing Congress for the passage of hydroelectric power legislation that will enable the Government to lease power sites to private legitimate enterprises under proper rules and regulations.

To the honorable Senate and House of Representatives in the Congress of the United States assembled:

Whereas the waterways of this State abound in water power, it being conservatively estimated that about one-tenth of the total potential water power in the United States lies within the borders of our own State, a very small proportion of which is now developed;

Whereas the development of the various Government power sites in this State by private enterprise would add millions of dollars to our tax rolls and develop the greatest national resource we have;

Whereas the members of this legislative assembly believe that our forests and coal beds should not be needlessly exploited and the development of the Government power sites would help conserve two of our greatest natural resources;

Whereas an early development of the aforesaid water-power sites would induce manufacturing industries to operate in this State, would encourage railways to electrify their lines and would furnish electrical energy in such abundance that our people could cheaply electrify and heat their homes: Now, therefore, be it

Resolved, That the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, the Senate concurring herein, that we petition the Congress of the United States for the necessary legislation that will enable the Government to lease power sites to private enterprises under such rules and regulations as will safeguard the interests of the people and yield to the lessee a fair return upon the money actually invested.

Resolved further, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senate of the United States.

And that a copy of this memorial be forwarded by the secretary of state of Montana to the House of Representatives of the United States: And be it further

Resolved, That a copy hereof be transmitted by the secretary of state of the State of Montana to the Senators and Representatives in Congress of the State of Montana, with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated.

JAMES F. O'CONNOR,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Mr. JAMES. I have telegrams here from the Christian Herald, of New York; from Urey Woodson, of Owensboro, Ky.; and from the Georgetown News, of Kentucky, protesting against an increase in the rate upon newspapers. I ask to have the telegrams printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, as follows:

Hon. OLLIE M. JAMES,
Washington, D. C.:

NEW YORK, February 12, 1917.

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate, it will be impossible for them to survive.

THE CHRISTIAN HERALD.

OWENSBORO, KY., February 12, 1917.

Hon. OLLIE M. JAMES,
Washington, D. C.:

Proposed increase in second-class postage rate would cost papers like mine \$1,000 per year first year, \$2,000 thereafter. This in addition to high price of paper would put many out of business.

UREY WOODSON.

GEORGETOWN, KY., February 11, 1917.

Senator OLLIE JAMES,
Care Senate Office Building, Washington, D. C.:

Please do all in your power to strike out 1½-cent postage amendment on Senate Post Office appropriation bill on second-class mail matter which deals a heavy blow under the high cost of news-print material to every Kentucky newspaper. Advise me regarding same.

GEORGETOWN NEWS,
By J. M. ALVERSON.

Mr. GALLINGER. For the purpose of relieving the pressure upon the columns of the CONGRESSIONAL RECORD I will state in a very few words the substance of three or four telegrams I have in my hand.

The first one is from W. P. Davis, secretary of the Granite State Dairymen's Association, protesting against a reduction of the tax on oleomargarine; one from the National Housewives League, signed by Mrs. Julian Heath, in favor of the reduction of the tax on oleomargarine; and two telegrams, one from the Christian Herald and the other from Edwin R. Graham, chairman of some organization, both protesting against the increase of rate on second-class mail matter. I will not ask that they be printed in the RECORD, but merely make this statement to show that I have called attention to them.

Mr. SMITH of South Carolina. I present a memorial, which I ask may be printed in the RECORD and referred to the Committee on Naval Affairs.

There being no objection, the memorial was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

BEAUFORT CHAMBER OF COMMERCE,
Beaufort, S. C., February 10, 1917.

Hon. E. D. SMITH,
United States Senate, Washington, D. C.

DEAR SIR: We, the mayor and city council, chamber of commerce, and citizens of Beaufort, town and county, South Carolina, respectfully desire to call your attention, as our duly authorized representative, to the entirely defenseless condition of Port Royal Harbor.

This harbor is one of the best on the South Atlantic coast, and, though it is true that the town of Beaufort is small, the amount of property exposed to attack is limited in value, it is equally true that from a military point of view Port Royal would be of immense value to an enemy as a naval and military base, and was so utilized by the Union forces in the war of 1861-1865.

It is possible to take a vessel drawing 26 feet across the bar at the entrance to Port Royal Sound and to a point on the mainland known locally as Foot Point. From that point, within range of modern guns, are three trunk lines of railroad, the Atlantic Coast Line, the Southern, and the Seaboard Air Line, from Charleston to Savannah, crossing Broad River.

The city of Savannah is distant 21 miles in an air line, while Fort Screven, distant less than 19 miles, could be shelled in reverse.

At Fort Fremont, Port Royal's only defense, are four 10-inch guns, with absolutely no force to handle or protect them. The wharf for landing supplies has been allowed to fall to pieces to such extent that ammunition for these guns would have to be landed in small boats from a transport. An individual with a case of high explosives can now at any hour of the day or night go there and destroy these guns unhindered.

A large marine recruit depot lies open to attack within this harbor. We have been informed that at least one commander of the Savannah artillery district has recommended that Port Royal be made the left flank of the defenses of which Brunswick, Ga., is the right and Savannah the center, and that a powerful battery of 14-inch rifles be installed at Fort Fremont, and that a railroad be run down St. Helena Island from Beaufort, terminating at Fort Fremont, now accessible only by water.

We are not in the least alarmed or excited in making this request, but respectfully submit that it is the duty of the General Government to protect so open a harbor from possible possession or aggression by a foreign foe, and also to protect us, its citizens, from danger and insult incident to such possession.

Yours, respectfully,

CHAS. E. DANNER,
Mayor of Beaufort.
W. F. MARSCHEE,
Member of Council.
W. E. RICHARDSON,
Member of Council.
GEORGE WATERHOUSE,
J. B. TURNER,
W. H. HULL, Chairman,
Special Committee from Chamber of Commerce.

Mr. SHIELDS. I have two telegrams from Tennessee concerning postal rates on daily papers and some others. I ask that the first be read and that the others be printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, and the first one was read, as follows:

NASHVILLE, TENN., February 12, 1917.

Hon. JOHN K. SHIELDS,
Washington, D. C.:

Amendment to Post Office appropriation bill increasing rates on newspapers, with enormously increased cost of white paper exacted by manufacturers, will mean that either the circulation price of paper must be largely increased or that the newspapers will have to quit publication. There would be no serious objection to an increase of postage rate outside of a zone of, say, 300 miles from point of publication, but to apply the advance otherwise would be ruinous to daily newspapers published in the South and other sections.

E. B. STAHLMAN.

NASHVILLE, TENN., February 12, 1917.

Hon. J. K. SHIELDS,
United States Senate, Washington, D. C.:

Regardless of the merits of the main question, this is no time to increase postage rates to publishers. A Government which is unable to protect us against an outrageous hold-up by paper mills should not multiply our troubles while we are engaged in a fight for existence.

SOUTHERN AGRICULTURIST CO.

HON. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

DEAR SIR: I wish to call your attention to section 10 of the Post Office appropriation bill now pending in Congress (H. R. 19410), and also to a bill recently introduced by C. H. RANDALL, Member of Congress from California (H. R. 20204) "to establish rates of postage on second-class matter."

The purpose of these measures is to have certain papers and magazines delivered hereafter by parcel post, paying zone rates. This would greatly increase the cost of delivery and practically put many of them out of business.

You will realize that such a law would be a blow at the education and enlightenment of the masses of our people by curtailing their sources of information, a result, in a great measure, disastrous to progress. I believe that you fully realize the evil effects of such a law, and that you will use your influence and vote to defeat it should it come before the Senate.

Sincerely, yours,

N. O. WALKER.

FRANKLIN, TENN., February 3, 1917.

ATLANTA, GA., February 12, 1917.

HON. JOHN KNIGHT SHIELDS,
United States Senate, Washington, D. C.

Thirty-five trade publications and allied printing interests of the South and their employees beg that you will not put a tax on intelligence and curtail the educational work these publications are doing for the South by increasing the cost of second-class postage.

SOUTHERN PERIODICAL PUBLISHERS' ASSOCIATION.

CHICAGO, ILL., February 11, 1917.

JOHN K. SHIELDS,
United States Senate, Washington, D. C.

We represent over 7,000,000 farmer subscribers to high-grade farm papers, and in their behalf and in behalf of our already overburdened publishers we vigorously oppose any disturbance of existing postal rates for second-class matter at this time. No one is now qualified to foretell the future. Wait until conditions are normal, then reorganize entire system. Give us a chance to be heard. Change now would work great hardship to all and ruination to many and would not bring a gain to the Government.

FRANK B. WHITE,
Managing Director Agricultural Publishers' Association.

CHATTANOOGA, TENN., February 12, 1917.

HON. JOHN K. SHIELDS,
Washington, D. C.

Executive committee of Southern Newspaper Publishers' Association, in session here to-day, begs to bring before you the fact that newspapers already have had great burdens placed on them by enormous increase in cost of white paper and in all other expenses of publication. Hundreds have been forced out of business, and others probably will be if additional burdens are imposed. We protest against proposed increase of pound postage under bill reported by Post Office Committee in Senate. Subscriptions paid for largely in advance and with no anticipation of such an increase in postage. If advance is found absolutely necessary on second-class postage, we believe zone system to be fairer and will not impose such unjust burdens.

Robt. S. Jones, president of the Citizen, Asheville, N. C.; F. G. Bell, first vice president of the News, Savannah, Ga.; D. D. Moore, second vice president of the Times-Picayune, New Orleans, La.; Walter C. Jones, secretary-treasurer of the News, Chattanooga, Tenn.; Victor Hanson, Birmingham (Ala.) News; E. M. Foster, Nashville (Tenn.) Banner; C. B. Johnson, Knoxville (Tenn.) Sentinel; Jas. H. Allison, Nashville (Tenn.) Tennessean; A. F. Sanford, Knoxville (Tenn.) Journal and Tribune; G. J. Palmer, Houston (Tex.) Post; W. T. Anderson, Macon (Ga.) Telegraph; W. A. Elliott, Jacksonville (Fla.) Times-Union; Robt. Latham, Charleston (S. C.) News and Courier; Elmer Clark, Little Rock (Ark.) Democrat; W. E. Thomas, Roanoke (Va.) Times; W. B. Sullivan, Charlotte (N. C.) Observer.

NASHVILLE, TENN., February 12, 1917.

HON. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

We protest against passage of amendment to Senate bill increasing postage on second-class mail matter. Publishers are now burdened with great increase of cost of paper and all printing material.

SMITH & LAMAR,
Publishing Agents M. E. Church South.

NEW YORK, N. Y., February 12, 1917.

Senator JOHN K. SHIELDS,
Washington, D. C.

The religious press of America earnestly protest against the passage of Senate amendment increasing second-class postage. It will work hardship to publications of Protestants, Catholics, and Hebrews, many of which are published without profit. It will discontinue many of these publications, thus removing their influence for moral and religious training in the homes of America, where the foundations for better citizenship are laid.

EDWIN R. GRAHAM, Chairman.

NEW YORK, N. Y., February 12, 1917.

HON. JOHN K. SHIELDS,
Washington, D. C.

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate, it will be impossible for them to survive.

THE CHRISTIAN HERALD.

Mr. VARDAMAN. I ask to have printed in the RECORD a telegram from a number of people of Vicksburg, Miss., favoring the adoption of the Gronna amendment for prohibition in Porto Rico.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

VICKSBURG, MISS., February 12, 1917.

Senator JAMES K. VARDAMAN,
Washington, D. C.

Your support asked for Gronna prohibition amendment for Porto Rico.

T. B. Holloman, Geo. A. Smith, F. H. Henderson, A. K. Brokshear, Mrs. R. L. McLaurin, Louis G. Corliss, Mrs. Vick Robbins, J. G. Hackle, Mrs. C. B. Droke, Mrs. C. D. Yerger, H. C. Allein, E. B. Henderson, and others.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD.

There being no objection, the joint memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

Senate joint memorial 15.

To the honorable the Senators and Representatives in Congress assembled:

We, your memorialists, the members of the Oregon Legislature, would most respectfully call the attention of your honorable body to an incongruity in our laws relative to naturalization and citizenship which works an injustice to quite a number of the citizens of the Republic.

Several States of the Union have adopted equal suffrage, whereby both men and women are accorded equal prerogatives and privileges in the exercise of the elective franchise. Under the law a woman having all the qualifications of a legal voter—in fact, she may have exercised the right to vote—should she marry a foreigner not yet naturalized is thereby disfranchised, while if the woman from a foreign country, ignorant of our laws, should marry a citizen of the United States she at once becomes a legal voter. This manifest injustice should be corrected, and we earnestly urge your honorable body to do so, either by amending the present laws or by some adequate enactment that will accomplish such desired result. All that we ask is that equal qualifications be required of and equal privileges granted to each individual voter, irrespective of sex or the marriage relation in the States adopting equal suffrage, thereby harmonizing the operation of our laws with the civic progressiveness of twentieth century civilization.

And your memorialists will ever pray.

The chief clerk of the senate is directed, upon the adoption of this memorial by the house and senate, to transmit copies of the same to the Members of the Oregon delegation in Congress.

Concurred in by the house February 2, 1917.

R. N. STANFIELD,
Speaker of the House.

Adopted by the senate January 30, 1917.

GUS C. MOSER,
President of the Senate.

STATE OF OREGON,
SENATE CHAMBER.

I, J. W. Cochran, chief clerk of the Senate of the Twenty-ninth Legislative Assembly of the State of Oregon, do hereby certify that I have carefully compared the annexed copy of senate joint memorial 15, Twenty-ninth Legislative Assembly, State of Oregon, with the original thereof as adopted by the senate January 30, 1917, and concurred in by the house February 2, 1917, and that the same is a full, true, and correct transcript therefrom and of the whole thereof.

In witness whereof I have hereunto set my hand this 6th day of February, 1917.

J. W. COCHRAN,
Chief Clerk Senate.

Twenty-ninth Legislative Assembly of the State of Oregon.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 10, relating to the recession to the State of Oregon by the United States of all its right, title, interest, and claim in and to "Lower" or "Little Klamath Lake" in Klamath County, Ore., and all its right, title, interest, and claim in and to any and all of the lands surrounding said Lower Klamath Lake in Klamath County, Ore., ceded to it by an act of the Legislature of the State of Oregon, approved January 20, 1905 (Stats. of 1905, p. 63).

Whereas the Legislature of the State of Oregon passed an act, approved January 20, 1905, of which the following is a copy:

"CHAPTER V.

An act to authorize the utilization of Upper Klamath Lake, Lower or Little Klamath Lake, and Tule or Rhett Lake, situate in Klamath County, Ore., and Goose Lake, situate in Lake County, Ore., in connection with the irrigation and reclamation operations of the Reclamation Service of the United States, and to cede to the United States all the right, title, interest, and claim of the State of Oregon to any and all lands recovered by the lowering of the water levels, or by the drainage of any or all of said lakes.

"Be it enacted by the people of the State of Oregon:

"SEC. 1. That for the purpose of aiding in the operations of irrigation and reclamation, conducted by the Reclamation Service of the United States, established by the act of Congress, approved June 17, 1902 (32 Stat., 388), known as the reclamation act, the United States is hereby authorized to lower the water level of Upper Klamath Lake, situate in Klamath County, Ore., and to lower the water level of, or to drain any or all of the following lakes: Lower or Little Klamath Lake, and the Tule or Rhett Lake, situate in Klamath County, Ore., and Goose Lake, situate in Lake County, Ore.; and to use any part or all of the beds of said lakes for the storage of water in connection with such operations.

"Sec. 2. That there be, and hereby is, ceded to the United States all the right, title, interest, or claim of this State to any land uncovered by the lowering of the water levels, or by the drainage of any or all of said lakes not already disposed of by the State; and the lands hereby ceded may be disposed of by the United States, free of any claim on the part of this State in any manner that may be deemed advisable by its authorized agencies, in pursuance of the provisions of said reclamation act."

Approved January 20, 1905.

Filed in the office of the secretary of state January 20, 1905; and Whereas the Reclamation Service of the United States has not, during the 12 years which have elapsed since the approval of the aforesaid act, lowered the water level of said "Lower" or "Little Klamath Lake" nor used the bed of said lake for the purpose of storing water to use in connection with the reclamation of the land adjacent to said lake, and there are no indications that the Reclamation Service intends to ever reclaim the land, thereby accomplishing the purposes of the Legislature of the State of Oregon as expressed in said act of January 20, 1905; and

Whereas there is a large body of swamp and overflowed land surrounding said lake in Klamath County unfit for cultivation without reclamation upon the title to which a cloud has been cast by the above-mentioned act, which it is necessary to remove before such land can be successfully thrown open to entry, reclamation, and cultivation: Therefore

Resolved by the senate (the house concurring), That we request our Senators and Representatives in Congress to use their influence to have a bill introduced and passed by Congress and approved by the President of the United States, ceding back to the State of Oregon the right to use all or any part of the bed of "Lower" or "Little Klamath Lake" the storage of water connected with the operations of the Reclamation Service of the United States, and also ceding back to the State all the right, title, interest, or claim of the United States in or to any of the lands surrounding or connected with said lake in Klamath County, ceded to it by the above-mentioned act of the Legislature of Oregon, to the end that such lake, water, and land shall be returned to said State as they were prior to the approval of said act, and be governed by the general laws by which they were governed prior thereto, reserving, however, to the United States the right to lower the water level in said lake as provided in said act.

Resolved, That the chief clerk of the Senate of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Concurred in by the house February 2, 1917.

R. N. STANFIELD,
Speaker of the House.

Adopted by the senate January 30, 1917.

GUS C. MOSER,
President of the Senate.

STATE OF OREGON,
SENATE CHAMBER.

I, J. W. Cochran, chief clerk of the Senate of the Twenty-ninth Legislative Assembly of the State of Oregon, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 10, Twenty-ninth Legislative Assembly, State of Oregon, with the original thereof as adopted by the senate January 30, 1917, and concurred in by the house February 2, 1917, and that the same is a full, true, and correct transcript therefrom and of the whole thereof.

In witness whereof I have hereunto set my hand this 6th day of February, 1917.

J. W. COCHRAN,
Chief Clerk Senate.
Twenty-ninth Legislative Assembly of the State of Oregon.

Mr. KERN presented memorials of sundry citizens of Indianapolis and Gas City, in the State of Indiana, remonstrating against the United States becoming involved in the European war, which were referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the enactment of legislation to provide for making the Pacific coast safe for marine travel, which was referred to the Committee on Commerce.

Mr. McLEAN presented petitions of sundry citizens of Meriden and Stamford, in the State of Connecticut, praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of the Socialist Party of Hamden, Conn., praying for peace in Europe, which was referred to the Committee on Foreign Relations.

Mr. SIMMONS presented petitions of sundry citizens of North Carolina, praying for national prohibition, which were ordered to lie on the table.

Mr. WEEKS presented a petition of the United Irish Societies of Springfield, Mass., praying for the freedom of Ireland; which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of Typographical Union No. 81, of Bay City, Mich., praying for an increase in the salaries of printers in the Postal Service, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Detroit, Mich., praying the the United States keep out of the European war, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. BECKHAM, from the Committee on Claims, to which was referred the bill (H. R. 1584) to carry out the findings of the Court of Claims in the case of Louis Landram, administra-

tor of William J. Landram, deceased, reported it without amendment and submitted a report (No. 1041) thereon.

Mr. BRYAN, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 11498. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States (Rept. No. 1044); and

H. R. 17406. An act for the relief of Eugene Fazzi (Rept. No. 1045).

Mr. FERNALD, from the Committee on Claims, to which was referred the bill (H. R. 8093) for the relief of Wilson M. Dent, reported it without amendment and submitted a report (No. 1043) thereon.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (H. R. 16855) for the relief of Riverside Military Academy, reported it without amendment and submitted a report (No. 1042) thereon.

Mr. POMERENE, from the Committee on Civil Service and Retrenchment, to which was referred the bill (S. 3079) for the retirement of employees in the classified civil service, reported it with amendments and submitted a report (No. 1046) thereon.

Mr. BANKHEAD, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 16827) for the relief of Henry P. Grant, of Phillips County, Ark., reported it without amendment and submitted a report (No. 1047) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 4570) to authorize the President to appoint Col. L. Mervin Maus to the grade of brigadier general in the United States Army and place him on the retired list, reported it without amendment and submitted a report (No. 1040) thereon.

THE REVENUE.

Mr. SIMMONS. Mr. President, from the Committee on Finance, I present a favorable report on the bill (H. R. 20573) to provide increased revenue, to defray the expenses of the increased appropriations for the Army and the Navy and the extensions of fortifications, and for other purposes, with sundry amendments, and I submit a written report (No. 1039) thereon.

Mr. PENROSE. Mr. President, does the chairman of the committee file a report with that measure?

Mr. SIMMONS. Yes; I file a report with it.

Mr. PENROSE. The minority will file a report to-day or to-morrow and, of course, dissent from the favorable report of the bill.

Mr. SIMMONS. That is entirely satisfactory.

Mr. PENROSE. The minority were permitted to be in the committee room for about two minutes.

Mr. SIMMONS. Mr. President, the Senator from Pennsylvania means that he stayed but two minutes. He was invited to stay as long as it was convenient for him to stay.

Mr. PENROSE. I merely want to state, for the information of the Senate, that the minority have not yet had an opportunity even to have the bill read. They were permitted about two minutes yesterday to see the outside of the measure in the committee room. Hence their inability to frame a report in time for this morning's session.

Mr. SIMMONS. Mr. President, I think I probably ought to state to the Senate that, following the usual custom, I shall not be disposed to call this bill up until the minority has had reasonable time to examine the bill and to prepare for its discussion. I should like, however, to inquire now of the Senator from Pennsylvania, who is the ranking member of the minority on the Finance Committee, if it would be satisfactory to call this bill up on Friday? That would allow three days.

Mr. PENROSE. Mr. President, I am informed that there are eulogies set down for Saturday, and so I would suggest to the chairman of the committee the propriety perhaps of calling the bill up on Monday.

Mr. SIMMONS. If the bill is not called up on Friday I shall prefer to call it up on Thursday. I think that the time before the session expires is so short that we ought not to put it off until Monday, unless it is absolutely necessary to do so.

I trust that some arrangement may be made by which the eulogies, referred to by the Senator from Pennsylvania, may be delivered on Sunday, instead of taking up Saturday for that purpose, because, after we once start with the consideration of the bill, I hope to continue its consideration until final disposition.

Mr. PENROSE. Of course, this is the first information that I have had of any suggestion that the eulogies should be postponed until Sunday. Such action is certainly unprecedented

in the Senate whatever may have been the custom in the other House. I recall on a similar occasion when the former Senator from Georgia, the late Senator Bacon, very vigorously protested against such an innovation as the holding of eulogy ceremonies in the Senate on Sunday.

So far as the minority of the committee are concerned, I am literally correct when I state that they have had no opportunity even to read this bill. The hearings, such as were had, were had only before members of the majority. The minority members were certainly not invited to attend, and I do not know whether or not they would have been permitted to be present. I am not even informed as to whether or not the hearings were printed or whether stenographers were present to take down the hearings. I ask the chairman of the committee whether those hearings have been taken down by stenographers?

Mr. SIMMONS. I will state to the Senator from Pennsylvania that the hearings were open to the public; the press were invited, if they so desired, to attend. The hearings were all taken down stenographically, and the hearings, together with all the briefs that have been filed, will be printed for the use of the Senate.

Mr. PENROSE. "Will be," Mr. President.

Mr. SIMMONS. The hearings have been ordered to be printed. They have not yet been received at my office, so far as I am advised. I can not state to the Senator exactly when they will be ready for distribution and for the use of the Senate. They may be ready to-day, possibly not until to-morrow.

Mr. PENROSE. I ask the Senate to note the remark of the chairman—"will be printed." As the ranking member of the minority on the Finance Committee I have never received any official notice of these hearings, nor has any other member of the minority. I have no information, direct or indirect, as to when these hearings were held or who appeared before the committee, nor, Mr. President, have I any information as to how anyone wanting a hearing could obtain a hearing from the subcommittees of the majority.

Mr. LODGE. Will the Senator from Pennsylvania permit me a moment?

Mr. PENROSE. Yes, sir.

Mr. LODGE. All that the Senator from Pennsylvania says is quite true about our having no opportunity to be present; but neither was there opportunity given at any of these hearings to cross-examine the witnesses.

Mr. PENROSE. No.

Mr. SIMMONS. I beg pardon of the Senator from Massachusetts. I did not hear his statement. There is so much noise in the Chamber that we can not hear Senators.

Mr. PENROSE. Then I should like to have order, and I will repeat my statement. I said that not a member of the minority had any notice officially, direct or indirect, of the hearings, when they were to be held, the personnel of the subcommittees, or how hearings could be obtained. Some of the greatest manufacturers in my own State came to me to ask for hearings, and I was unable to get any information as to the time or the place of the hearings or how they could be obtained, and I told them to go home.

The chairman says these hearings "will be printed," and the minority are asked to agree on a date for the consideration of the bill when they have not even had an opportunity to read the printed hearings, much less to examine the printed bill, which only saw the light of day yesterday evening and was reported this morning.

It is not disclosing any confidential act of the committee to state that the most perfunctory session was held; the bill was not read; and the minority was simply afforded an opportunity to record their dissent.

I have been a member of the Finance Committee, Mr. President, for 15 or 20 years, and for a period of that time I was chairman of the committee; but I do not recall an instance where hearings, supposed to be open to the public and to those interested, held at the expense of the contingent fund of the Senate, with stenographers taking the testimony, were not held before the full committee, Democrats and Republicans. I myself know that when I was chairman of the committee hearings were held for months on the reciprocity bill and other tariff measures pending before the committee, and in every case the records of the committee will show that the then minority were invited and that many of them were glad to attend. The hearings were held with open doors, with scores of people present, the testimony taken, and that testimony will indicate that the then Democratic minority had ample opportunity to cross-examine the witnesses, and did so cross-examine them. I recall that the Senator from Mississippi [Mr. WILLIAMS] was exceedingly active on more than one occasion in cross-examining busi-

ness men who appeared before the committee; but we the minority have had no such opportunity or courtesy extended to us.

I do not rise, Mr. President, by way of complaint, because I have become somewhat calloused to these methods of the majority and cheerfully and thankfully take whatever crumbs may fall from the table; but I do feel that it is my duty to call the attention of the country to the methods by which this legislation comes before the Senate. It is an old story, and I shall not elaborate further on it.

When the chairman of the committee says that he wants to bring this bill up on Friday and postpone the eulogies set for Saturday, transfer them in a flippant way to Sunday, I can not do more than record a mild dissent. Thursday certainly seems a remarkably early period, Mr. President; in fact, any suggestion of a time for bringing up the bill seems to me premature until the hearings have been printed and are before the Senate.

Mr. SIMMONS. Mr. President, with reference to holding memorial services on Sunday, it is well known that the other House has for many years adopted that as a custom and has followed it. I see nothing wrong about it. However, if there is an objection to doing that, an arrangement might be made by which the memorial services could be held Saturday night instead of during the day, so that we might have a continuous consideration of the revenue measure after we enter upon it on Friday until the end of the week.

Mr. President, the Finance Committee with respect to this measure has not pursued any different course from that which it has uniformly pursued with reference to tariff and revenue measures. There has been no concealment about the manner of our procedure and absolutely no secrecy about it.

When the tariff act of 1913 was prepared, the committee was divided into subcommittees, and those subcommittees were composed entirely of Democrats. The majority party was responsible for the legislation; it was regarded as a party measure, and the Democrats thought they had a right to frame it. We did so; and, in doing that, we were simply following the unbroken precedent, so far as I know, that had been set us by the Republican Party.

I have been a member of the Finance Committee for quite a while and was a member under both the chairmanship of Senator Aldrich and the chairmanship of the Senator from Pennsylvania. The tariff bill of 1909, the Payne-Aldrich bill, was framed by the then majority, just as the tariff bill of 1913 and all other revenue bills which have been passed since then have been framed by the majority.

The Senator complains that he did not have an opportunity to attend the sessions of the committee or to see the bill until it was presented to him for a vote on yesterday. Neither did I, Mr. President, in 1909, as a member of the Finance Committee, have an opportunity to see the Payne-Aldrich bill until the Democrats were called in at the final meeting of that committee, when the bill was laid down on the table, and we were told to take it or reject it. We have simply followed that policy.

Now, Mr. President, with reference to the hearings, they were exactly like the hearings held in 1913 and exactly like the hearings held on other revenue bills. They were open hearings before a subcommittee of the majority membership. Anybody who desired to be heard was given a hearing. I took extraordinary precautions this year to see that there should be no ground of complaint.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. SIMMONS. Yes.

Mr. GALLINGER. Can the Senator give any valid reason why the minority were not notified of the meeting of the Finance Committee? I never received any notice.

Mr. SIMMONS. There was no meeting of the full Finance Committee until yesterday.

Mr. GALLINGER. The only information that came to me was—

Mr. SIMMONS. There was a meeting of the majority members of the Finance Committee for the purpose of framing the bill, and we did frame it in accordance with the unbroken custom of both parties. I do not care to enter into any controversy about that. We do not make any concealments about it. If there is anything wrong about it, we take the responsibility for it.

Mr. GALLINGER. If the Senator will permit me to make a very brief statement—and it will be only a few words—I wish to state that the only information I ever had that the bill was under consideration by the Finance Committee, or any part of that committee, was a newspaper item to the effect that the bill had been referred to three members of the majority. That is

all I knew about it. I did not know officially as a member of the committee that it was being considered in any way.

Mr. SIMMONS. I will state that upon the bill coming over from the House I proceeded, as chairman, almost at once to appoint subcommittees from the majority membership. I announced in the newspapers, the press of the country, and announced to Senators who spoke to me about it before the publication was made in the newspapers, that these subcommittees had been appointed; that hearings would be given on a certain day and at a certain hour of the day before these two subcommittees; that anybody desiring to be heard would be given an opportunity to make his statement; and that if he had any briefs in addition to his statement which he wished to file, both the statement and the briefs would be printed. That notice went out to the country; it was put in the press dispatches and published in the local newspapers. I do not think there is any doubt about Senators knowing that these hearings were going on.

Mr. PENROSE. Mr. President, does the Senator contend for one moment that the minority members of the Finance Committee must rely upon press dispatches to learn when hearings are to take place before a subcommittee of that great standing committee of the Senate?

Mr. SIMMONS. I said to the Senator that we had pursued the same course that has always been pursued with reference to such matters. Up to the time the bill is reported to the full committee the majority members of the Finance Committee from time immemorial under all parties have framed the bill.

Mr. PENROSE. Mr. President, the Senator states that the minority had notice. I again repeat that we had no notice.

Mr. SIMMONS. I did not say that the minority had special notice. I stated that the country and the Senate had notice—both the minority and the majority—so far as the publications in the papers could give notice.

Mr. PENROSE. Well, Mr. President, I have not arrived at the state where I get my information regarding the proceedings of the Senate or the Finance Committee from the newspapers.

Mr. SIMMONS. Mr. President, all I desire is to have the facts before the Senate. We pursued the regular course and the precedents set us by the Senator's party. If we are wrong, they were wrong. I do not say that they were wrong. I think that both were right. I think the course that we pursued is proper, and I have no apologies to make for it. The majority members of the committee have no apologies to make for it.

Mr. PENROSE. Mr. President, I challenge the Senator to cite an occasion when the Republican Party upon the Sabbath Day, or any other day, held a secret caucus upon a revenue measure.

Mr. SIMMONS. I am not going to enter into a discussion with the Senator from Pennsylvania as to the morality of the Democratic caucus meeting on Sunday. If I wanted to get lessons in morality, I certainly would not go to the Senator from Pennsylvania.

Mr. PENROSE. No, Mr. President; the conservation of Democratic morality would be too great a task for me.

Mr. SIMMONS. Well, Mr. President, that is a by-matter that I am not going to take the time of the Senate in discussing. I had understood, from the conferences that I had with Senators on that side yesterday and to-day, that there would be no disposition on the part of the minority to delay the taking up of this bill or to delay action upon it unnecessarily after it is taken up for consideration. I wish to ask the minority whether it would be satisfactory to them to take up this bill on Friday?

Mr. GALLINGER. Mr. President, the Senator can rest content that there will be no disposition on this side, certainly not any so far as I know, to obstruct the consideration of this bill at the proper time; but I want to fortify what the Senator from Pennsylvania has said, that the bill has only been reported this morning. The minority concede that the bill should have prompt consideration, but we surely ought to have access to the hearings in order to aid in the preparation of a minority report.

Mr. SIMMONS. If the Senator will pardon me, I think probably most of the hearings are printed now. If they are not, they will be put on the desks of Senators at some time during the day.

Mr. GALLINGER. I want to suggest to my friend the Senator from North Carolina that I think if we get to this bill by Friday morning—there are other important matters before the Senate to engage our attention until then—the Senator ought to be content; and I feel sure there will be no objection to that on this side of the Chamber.

Mr. SIMMONS. Do I understand the Senator to say Friday morning?

Mr. GALLINGER. Friday morning.

Mr. SIMMONS. Well, that is the time I suggested.

Mr. GALLINGER. The Senator first suggested Thursday. Mr. SIMMONS. In my first inquiry I suggested Friday, and then on account of the eulogies on Saturday I suggested Thursday.

Mr. GALLINGER. I did not understand the Senator to say that. If it is agreeable to the Senator to make it Friday morning, I feel sure there will be no objection on this side.

Now, Mr. President, I want to say just a word about having the eulogies on Sunday. I once proposed that, thinking it would be a good change; but I recall that the late Senator from Georgia [Mr. Bacon] made a very vigorous speech in opposition to it, and that he apparently had the sentiment of the Senate with him, and it was immediately abandoned. Now, I am not going to say that that may not be a good thing to do, and yet I think we ought to give it careful consideration before we make the change.

So far as the revenue bill is concerned, while those of us on this side who have given it some thought, and especially those of us who are members of the Finance Committee, deprecate the structure of the bill, thinking that better means should have been devised to raise the needed revenue for the Government, yet we know that the bill has gone through the Democratic caucus, and aside from one provision in it, as we understand, the Democratic Senators have been unanimous in support of it; and as a result we have no doubt that it will pass substantially as it has been reported.

I have been told, not confidentially, that the provision relating to the reduction in the tax on what is now known as oleo-margarine and which hereafter is to be known as margarine was not agreed to in caucus to the extent that it bound the members of the majority. I am very glad to know that, because it is a very serious matter, so far as the interests of New England are concerned, as well as other sections of the country. I am glad that we are to have a chance to debate that proposition openly without having it foreclosed by caucus action. I feel confident that when that provision of the bill is debated and the facts presented to the Senate we will have votes enough on this side, aided by votes from the other side, to defeat that proposition; but I have little hope that we will be able to amend the bill in any other particular.

Mr. SIMMONS. Mr. President, I have just been informed by my clerk that the hearings will be ready to be placed upon the desks of Senators by 1 o'clock; that they were delayed by the failure of the dairymen to send in certain representations and briefs that they desired to submit.

Mr. GALLINGER. I am very much gratified to learn that fact.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. NEWLANDS. Mr. President, I wish to inquire whether any arrangement has been made for taking up the revenue bill?

Mr. CHILTON. On Friday.

Mr. SIMMONS. I gave notice that I should seek to bring that bill before the Senate on Friday. Of course, nothing can be done until that time.

Mr. NEWLANDS. I wish to state in that connection, Mr. President, that the Committee on Interstate Commerce has made a report of certain legislation, following the recommendations of the President, regarding the late threatened railroad strike. Those measures, two in number, one increasing the Interstate Commerce Commission with a view to enabling it to discharge its statutory duties, and the other—

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. I do.

Mr. LA FOLLETTE. Under what rule is this debate proceeding?

The VICE PRESIDENT. Under the rule of common comity.

Mr. LA FOLLETTE. I ask for the regular order.

The VICE PRESIDENT. The Senator from Nevada is out of order. Further reports of committees are in order.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KENYON. I submit the views of the minority (Rept. No. 1020, part 2) on the bill (H. R. 20079) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. I present it on behalf of five members of the Committee on Commerce, and ask that it may be printed.

I also present an amendment in the form of a substitute for that bill, which I ask may be printed and lie on the table and also that it be printed in the Record.

There being no objection, the views of the minority and the proposed substitute were ordered to be printed and lie on the table and to be printed in the RECORD, as follows:

VIEW OF THE MINORITY.

Certain members of the Commerce Committee, unable to agree with the majority of the committee, submit a brief minority report.

There is no desire on the part of the minority to stop or impede the construction of those river and harbor improvements of benefit to the people of the Nation. A system has grown up in river and harbor appropriations resulting in waste and extravagance inexcusable, and in which national seems secondary to local importance.

The minority believe the present system of river and harbor appropriations should be changed; that a commission along the line of other commissions now rendering effective service in governmental matters should be created to have general charge of the construction and repair of waterway improvements and questions relating thereto and the full utilization of our water resources.

At a time when a search is being made for additional means of taxation of the people, and where a bond issue is proposed to be resorted to in order to meet an enormous deficit in the Treasury for the ensuing year, it certainly is no time to indulge in such waste and extravagance as the present river and harbor bill now reported to the Senate.

The minority therefore will propose, during consideration thereof, a substitute for said bill, said substitute to provide a lump sum of \$25,000,000, to be expended by the Army engineers upon such projects already approved by Congress as the Secretary of War shall deem advisable, and also authorizing expenditures, under direction of the Secretary of War, upon certain improvements not as yet approved by Congress but which are of pressing naval and commercial importance, such as some of the projects of New York Harbor, East River, Boston Harbor, Norfolk Harbor and channels, Charleston Harbor, Savannah Harbor, Mobile Harbor, and San Juan Harbor at Porto Rico. Said substitute will also contain a provision for a waterway commission, as hereinbefore referred to.

The minority believe that this plan will not cripple any legitimate waterway improvement; that it will enable the carrying on of new projects necessary for naval and commercial exigencies; and will save approximately \$15,000,000.

Respectfully submitted.

WM. S. KENYON.
W. L. JONES.
L. Y. SHEERMAN.
W. G. HARDING.
JAMES E. WATSON.

Amendment intended to be proposed by Mr. KENYON to the bill (H. R. 20079) making appropriations for the construction, repair, and preservation of certain public work on rivers and harbors, and for other purposes, viz: Strike out all after the enacting clause and insert:

"That there is hereby appropriated, out of any money in the United States Treasury, for the maintenance and improvement of rivers and harbors, \$25,000,000, to be expended by the Secretary of War in such way as he may deem best upon such projects as have been approved by Congress, and also those projects set forth in section 2 hereof.

"Sec. 2. That the Secretary of War is specifically authorized to expend a portion of said \$25,000,000 upon the following improvements recommended by the Board of Army Engineers and not as yet approved by Congress:

"(a) Narrows of Lake Champlain, N. Y. and Vt.: For improvement in accordance with the report submitted in House Document No. 1387, Sixty-second Congress, third session.

"(b) Boston Harbor, Mass.: For improvement in accordance with report submitted in House Document No. 931, Sixty-third Congress, second session.

"(c) New York Harbor, N. Y.: For improvement in accordance with report submitted in House Document No. 518, Sixty-third Congress, second session.

"(d) For completing improvement at Craven Shoal, New York Harbor, N. Y., in accordance with report submitted in House Document No. 557, Sixty-fourth Congress, first session.

"(e) Hudson River Channel, New York Harbor, N. Y.: For improvement in accordance with the report submitted in House Document No. 1697, Sixty-fourth Congress, second session.

"(f) East River, N. Y.: For continuing improvement in accordance with report submitted in House Document No. 188, Sixty-third Congress, first session: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$6,500,000, exclusive of the amounts herein and heretofore appropriated: *And provided further*, That so much as may be necessary of this and any other appropriations made for specific portions of New York Harbor and its immediate tributaries may be allotted by the Secretary of War for the maintenance of these waterways by the collection and removal of drift.

"(g) Norfolk Harbor and channels, Va.: For improvement, including channel of Norfolk, in accordance with report submitted in House Document No. 605, Sixty-third Congress, second session.

"(h) Charleston Harbor and channels, S. C.: For improvement in accordance with report submitted in House Document No. 288, Sixty-second Congress, second session, subject to conditions set forth in said document.

"(i) Savannah Harbor and channels, Ga.: For improvement in accordance with report submitted in House Document No. 1471, Sixty-fourth Congress, second session, and subject to the conditions set forth in said document: *Provided*, That no expense shall be incurred to the United States for any lands acquired for the purpose of this improvement.

"(j) Mobile Harbor and Bar, Ala.: For improvement in accordance with report submitted in House Document No. 1763, Sixty-fourth Congress, second session.

"(k) San Juan Harbor, P. R.: For improvement and cooperation with the local government in accordance with report submitted in House Document No. 867, Sixty-third Congress, second session.

"Sec. 3. That not more than \$100,000 of said appropriation shall be expended in the following surveys or such of them as the Secretary of War may deem advisable in the public interest, namely:

"Harbor at Corea, Me.

"Providence Harbor, R. I.

"Pawtucket River, R. L., with a view to increasing the width of channel through the ledge near Pawtucket.

"Sterling Basin, at Greenport, N. Y., with a view to securing adequate width and depth.

"Inland water route along the southern shore of Long Island, N. Y., from Jamaica Bay to Peconic Bay, with a view to providing a channel of adequate width and depth.

"Flushing Bay, N. Y.

"The Kill Van Kull from Shooters Island West to junction of channels, with a view to dredging shoals between channels to provide anchorage grounds.

"Bay Ridge Channel, New York Harbor, N. Y.

"Harlem River, N. Y.

"New York Harbor: West side of upper bay from Constable Hook to Ellis Island.

"Gardiners Island, N. Y., with a view to the construction of a break-water.

"Youghiogheny River, Md. and Pa.: Kiskiminitas River and Clarion River, Pa., with a view to devising plans for flood protection and determining the extent to which the United States should cooperate with the States and other communities and interests in carrying out such plans, its share being based upon the value to navigation.

"Harbor at Poplar Island, Md.

"Elizabeth River, Va., including eastern, western, and southern branches, and approaches thereto.

"Trent River, N. C., with a view to deepening the channel along that portion of the river known as Foy's Flats.

"Harbor of Silver Lake, Ocracoke Island, and entrance thereto from Pamlico Sound, N. C.

"Little River, N. C. and S. C.

"Charleston Harbor and Cooper River, S. C., from the entrance to Sanders Creek, including Town Creek channel.

"Ashley River, S. C. from the Standard Wharf to the Virginia-Carolina Chemical Co. to Lambs, with a view of improving the channel to a depth of not less than 8 feet.

"For the construction of a navigable waterway, of suitable depth and width to answer the needs of commerce, connecting the waters of the Flint and Ocmulgee Rivers in the State of Georgia.

"Savannah River at and near Augusta, Ga., for the purpose of determining what additional improvement is necessary, if any, in the interest of navigation and of flood protection; also the consideration of any proposition for cooperation on the part of local or State interests.

"Canaveral Harbor, Fla.

"Little Sarasota Bay, Fla., from Sarasota Bay to Venice.

"Miami Harbor (Biscayne Bay), Fla.

"Withlacoochee River, Fla., between Dunnellon and Lake Panasoffkee.

"Lake Worth Inlet, Palm Beach County, Fla.

"Charlotte Harbor, Fla., with a view to securing a channel of increased depth from the Gulf of Mexico to the town of Boca Grande.

"Braden River, Manatee County, Fla.

"Hillsboro River, Fla., from Michigan Avenue to Lafayette Street Bridge, Tampa.

"Back Bay of Biloxi, Miss., with a view to removing shoals at Cranes Neck and Biloxi Mud Flats and securing a depth of 12 feet.

"Bayou Tigre, La.

"Bayou Dorchet, La., through Lake Bistaneau and Loggy Bayou.

"Bayou Terrebonne, La., between Houma and Thibodaux.

"Bayou Chene, La.

"Intracoastal waterway from Calcasieu River, La., to Sabine River, Tex. and La., with a view to securing such width and depth as will meet the demands of commerce.

"Calcasieu River from the Gulf of Mexico to the city of Lake Charles, La., with a view to providing greater depth of water.

"Old River, Chambers County, Tex.

"Galveston Bay at Smiths Point, Tex.

"Waterway in Texas from the jetties at Sabine Pass through the Port Arthur Ship Channel to Port Arthur and through the Sabine-Neches Canal to the mouths of the Neches and Sabine Rivers, and thence up said rivers to Beaumont and Orange, respectively, and also through Taylors Bayou from the Government turning basin to the Southern Pacific Railway bridge, with a view to deepening and widening such waterways, making necessary cut-offs, and otherwise improving same for navigation and commerce.

"Black River, Ark. and Mo.

"The Secretary of War is hereby authorized and directed to appoint a board of engineers to make a survey of Galveston Island and Galveston Channel, Tex., east of the causeway, and to prepare plans and estimates for their protection against storms and erosions, including the protection of the instrumentalities and aids to commerce located there.

"Tennessee River, Tenn., with a view to locating one low dam at mouth of Whites Creek and one low dam at the mouth of the Clinch River.

"Little Tennessee River, Tenn.

"Black River at Lorain, Ohio.

"New Buffalo Harbor, Mich.

"Pentwater Harbor, Mich.

"Kenosha Harbor, Wis.

"Bar in Lake Michigan in front of the United States Naval Training Station, Great Lakes, Ill., with a view to dredging said bar so as to permit lake vessels to land at said station.

"The Secretary of War is authorized to make such preliminary examinations as can be made from available data without making field surveys, touching the creation of conditions in or paralleling the St. Lawrence River from Lake Ontario to the Canadian border, suitable in all respects for navigation by ocean-going ships, including such approximate estimate of cost of improvement as can be predicated on such available data, and an approximation of the amount of power, if any, that would be incident thereto.

"Missouri River between Yankton and Vermilion, S. Dak.

"Los Angeles Harbor, Cal., with a view to dredging a channel of adequate width and depth in the West Basin.

"Harbor at Newport, Cal.

"Sacramento River, Cal., from the city of Sacramento to the city of Colusa, with a view to providing a channel 6 feet in depth.

"Haydens Slough, Columbia River, near Portland, Oreg., with a view to the relocation of the dike near upper end.

"Columbia River, from Brookfield, Wash., to the mouth, with a view to securing a channel depth of at least 30 feet.

"Main ship channel in or near the mouth of the Columbia River on the southerly or Oregon side from a point in the vicinity of Point Adams along channel to or a short distance above Tongue Point, and of Youngs Bay from the Columbia River Channel to a point 1 mile above the county bridge, so as to give a depth of 40 feet at low tide.

"The Secretary of War is directed to make a survey and submit a report to Congress upon the advisability of securing a channel in the Columbia River from the mouth of the Willamette River to the eastern limits of the city of Vancouver, Wash., equal in width and depth to the project channel from the mouth of the Willamette to the city of Portland, Oreg., and what cooperation, if any, should be given.

"Tillamook Bay and River and Hoquarten Slough, Oreg., with a view to securing the most feasible channel from the entrance to the city of Tillamook.

"Black River and Renton Harbor, Wash.
"Mouth of the Cowlitz River, Wash., for the purpose of determining the advisability of the construction of a jetty, or other means, for deepening the channel at the mouth of the river.

"Controller Bay, Alaska.

"*Provided*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act or approved the same until funds for the commencement of the proposed work shall have been actually appropriated by law.

"**SEC. 4.** That a commission, to be known as the waterways commission, consisting of seven members, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. Three of these members shall be appointed from the active or retired list of the Engineer Corps of the Army, or other governmental services, and four from civil life, not more than two of whom shall be engineers. This commission is authorized and directed to secure the necessary data and to formulate and report to Congress, as early as practicable, a comprehensive plan or plans for the development of waterways and the development and utilization of water resources of the United States for the purposes of navigation, including the related questions of irrigation, drainage, forestry, arid and swamp land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil erosion and waste, storage and conservation of water for agricultural, industrial, municipal, and domestic uses, the cooperation of railways and waterways, the promotion of terminal and transfer facilities, and the cooperation of public and private agencies in the development of these resources, and to submit from time to time recommendations for the modification or discontinuance of any project herein, heretofore, or hereafter adopted, and to recommend to Congress such plan or system it may deem necessary to bring into effective coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States and commissions created by Congress that relate to the study, development, or control of waterways and water resources and subjects related thereto, or to the development and regulation of interstate and foreign commerce, with a view to uniting such services in investigating the matters to be considered and reported upon by said commission.

"Any member of said commission appointed from the retired list of the Engineer Corps of the Army shall receive the same pay as he would if on the active list, and all members selected from civil life or civil governmental service shall receive \$7,500 per annum.

"In all matters done or to be done under this act relating to any of the subjects, investigations, or questions to be considered hereunder, and in formulating plans and in the preparation of a report or reports, as herein provided, consideration shall be given to all matters which are to be undertaken, either independently by the United States or by cooperation between the United States and the several States, political subdivisions thereof, municipalities, communities, corporations, and individuals within the jurisdiction, powers, and rights of each, respectively, and with a view to assigning to the United States such portion of such development, promotion, regulation, and control as may be undertaken by the United States, and to the States, political subdivisions thereof, municipalities, communities, corporations, and individuals such portion as belongs to their respective jurisdictions, rights, and interests.

"The heads of the several departments of the Government may upon their own initiative, and shall upon the request of said commission, detail representatives from their respective departments to assist the commission in making the examinations which it is authorized to make, to the end that duplication of work may be avoided and the various services of the Government economically conducted; and each department of the Government is authorized and directed to place at its disposal of said commission, upon its request therefor, any data, reports, documents, or information that it may have relating to any of the matters to be considered by said commission.

"The commission is authorized to employ or retain and fix the compensation for the services of such engineers, transportation experts, experts in water development and utilization, and constructors of eminence as it may deem necessary to make such investigations and to carry out the purposes of this section within the limits of the appropriations made by Congress from time to time. And in order to defray the expenses made necessary by the provisions of this section there is hereby authorized to be appropriated such sums as Congress may hereafter determine; and the sum of \$100,000 is hereby appropriated, available until expended, to be paid out upon the warrants drawn on the Secretary of the Treasury by the chairman of said commission: *Provided*, That any governmental employee transferred or detailed to service under said commission shall continue at his regular salary unless promoted in due course.

"The commission shall have power to make every expenditure requisite for and incident to its authorized work and to employ in the District of Columbia and in the field such clerical, legal, engineering, artistic, and expert services as it may deem advisable, including the payment of per diem, not exceeding \$4 per day, in lieu of subsistence for employees engaged in field work or traveling on official business, rent of offices in the District of Columbia and in the field, and the purchase of books, maps, and office equipment, such employees to be selected under the civil-service laws, rules, and regulations and to be a part of the classified service.

"Nothing herein contained shall be construed to delay, prevent, or interfere with the completion of any survey, investigation, project, or work heretofore adopted or authorized upon or for the improvement of any of the rivers and harbors of the United States by this act."

BRIDGE BILLS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 18529) granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce,

La., and I submit a report (No. 1051) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 14074) granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River where it connects Pistakee Lake and Nippersink Lake, at a point suitable to the interests of navigation, in the county of Lake, State of Illinois, and I submit a report (No. 1048) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 17602) granting the consent of Congress to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., to construct a bridge across Red River of the North on the boundary line between said States, and I submit a report (No. 1049) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 17710) authorizing the construction of a bridge across the Tallapoosa River, separating the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Judkin Ferry and Hughes Ferry, and I submit a report (No. 1050) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. TOWNSEND. Mr. President, may I ask the Senator from Texas if these bills contain the usual provision for alteration and amendment on the part of Congress if conditions should so require?

Mr. SHEPPARD. Each of the bills contains that provision.

ADDRESS BY FRANKLIN W. HOBBS (S. DOC. NO. 709).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 358.

Resolved, That the pamphlet submitted by the Senator from New Hampshire [Mr. GALLINGER] on February 1, 1917, entitled "Textiles—The Backbone of New England," an address by Franklin W. Hobbs, be printed as a Senate document.

PROHIBITION ON FEDERAL JUDGES (S. DOC. NO. 708).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 359.

Resolved, That the pamphlet submitted by the Senator from Utah [Mr. SUTHERLAND] on February 6, 1917, entitled "Power of the Supreme Court to Declare Acts of Congress Unconstitutional," an address before the Legislature of Oklahoma in joint session, January 23, 1917, by Hon. C. B. Stuart, of Oklahoma City, Okla., be printed as a Senate document.

DAUGHTERS OF THE AMERICAN REVOLUTION (S. DOC. NO. 710).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 360.

Resolved, That the report of the National Society of the Daughters of the American Revolution for the year ended October 11, 1916, transmitted to Congress pursuant to law by the Secretary of the Smithsonian Institution, be printed as a Senate document, with illustrations.

REPORT OF NATIONAL ACADEMY OF SCIENCES (S. DOC. NO. 707).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 361.

Resolved, That the report of the National Academy of Sciences for the year ended December 31, 1916, be printed as a Senate document.

GRAND ARMY OF THE REPUBLIC.

Mr. CHILTON, from the Committee on Printing, to which was referred House concurrent resolution 65, to print as a House document 1,500 copies of the Journal of the Fifty-first National Encampment of the Grand Army of the Republic for the year 1917, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-first National Encampment of the Grand Army of the Republic for the year 1917, not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

DIGEST OF CONTESTED-ELECTION CASES.

Mr. CHILTON, From the Committee on Printing, I report back favorably with amendments House concurrent resolution 70, to print for the use of the House of Representatives 5,000 copies of the Hon. MERRILL MOORES'S Digest of Contested-Election Cases in the House of Representatives, and so forth, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The amendments of the Committee on Printing were, in line 3, after the word "buckram," to strike out "for the use of the House of Representatives," and, in line 9, after the word "expenditures," to insert "of which 1,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives."

The amendments were agreed to.

The concurrent resolution as amended was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 5,000 copies, bound in buckram, of the manuscript prepared by Hon. MERRILL MOORES, being a digest of contested-election cases in the House of Representatives from 1901 to 1917, together with laws relating to contested elections in the House of Representatives and campaign contributions and expenditures, of which 1,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 319, submitted by Mr. SWANSON on the 15th ultimo, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fourth Congress, to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON PATENTS.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 356, submitted by Mr. JAMES on the 12th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Patents, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fourth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SIMMONS:

A bill (S. 8237) granting an increase of pension to Juliana Sams (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 8238) authorizing the Secretary of War to donate one cannon, with its carriage and cannon balls, to the town of Orono, Me.; to the Committee on Military Affairs.

By Mr. LANE:

A bill (S. 8239) granting an increase of pension to Samuel Gray (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 8240) granting an increase of pension to Jeremiah Shine (with accompanying papers); and

A bill (S. 8241) granting an increase of pension to William Watson (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 8242) for the protection, regulation, and conservation of the fisheries of Alaska, and for other purposes; to the Committee on Fisheries.

By Mr. KERN:

A bill (S. 8243) to amend an act concerning State or Territorial Soldiers' Homes, pensions of inmates (collections), being the act of March 4, 1911 (25 Stats. L., 450); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 8244) granting a pension to Caroline Fust; to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 8245) to regulate promotion in the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. THOMPSON:

A joint resolution (S. J. Res. 212) authorizing the Postmaster General to provide the postmaster at Wichita, Kans., with a special canceling die for the fall carnival and exposition of that city; to the Committee on Post Offices and Post Roads.

USE OF HARBORS IN TIME OF WAR.

Mr. SAULSBURY. I introduce a bill, and ask that it be read and referred to the Committee on Foreign Relations.

The bill (S. 8236), to discourage the violation of international law upon the high seas, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That whenever a state of war exists between two or more nations with whom the United States are at peace, and one or more of the belligerents shall, upon the high seas, enter upon, engage in, or permit a course of warfare or use a method not justified or warranted by the laws of war as generally accepted or as construed by this Government, the ports, harbors, and waters of the United States may, as freely as in time of universal peace, be resorted to, used, and frequented by the warships or other vessels of any other belligerent, however armed, for the possible purpose of capturing, destroying, resisting, or escaping from any vessel of the belligerent or belligerents engaged in such unwarranted course of warfare, or using such illegal methods: *Provided,* That before the ports, harbors, and waters of the United States may be so resorted to, used, and frequented, the President shall by proclamation declare that proper occasion has arisen therefor under the terms of this act.

The VICE PRESIDENT. The bill will be referred to the Committee on Foreign Relations.

Mr. OVERMAN. Mr. President, the bill probably ought to go to the Committee on the Judiciary.

The VICE PRESIDENT. The bill has to do entirely with foreign relations, and will be so referred.

UNIVERSAL MILITARY TRAINING.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (S. 1695) to provide for the military and naval training of the citizen forces of the United States, which was ordered to lie on the table and be printed.

PUBLIC BUILDINGS.

Mr. CULBERSON submitted six amendments intended to be proposed by him to the public-building bill (H. R. 18994), which were referred to the Committee on Public Buildings and Grounds and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS (H. R. 20079).

Mr. JONES submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

Mr. OLIVER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS—SAMUEL M. BRADSHAW.

On motion by Mr. OVERMAN, it was

Ordered, That the papers accompanying the bill (S. 1415, 64th Cong., 1st sess.) granting an increase of pension to Samuel M. Bradshaw be withdrawn from the files of the Senate, no adverse report having been made thereon.

WATER-POWER LEGISLATION.

Mr. SHAFROTH. I have here a document, being a protest from the John Doe Oil Co., of Arizona, relative to water-power legislation, which I desire to have printed as a public document. I ask that it be referred to the Committee on Printing.

The VICE PRESIDENT. That action will be taken.

PATENTS TO INDIANS IN WASHINGTON—CONFERENCE REPORT.

Mr. PITTMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

KEY PITTMAN,
MOSES E. CLAPP,
HARRY LANE,

Managers on the part of the Senate.

JOHN H. STEPHENS,
C. D. CARTER,

Managers on the part of the House.

Mr. JONES. Mr. President, I have not had an opportunity to examine this report. I should like to look at it for a second or two, to see just what it provides. I may not have any objection to it.

The VICE PRESIDENT. The conference report has been read, and there is an objection to its present consideration.

Mr. JONES subsequently said: Mr. President, I have no objection to the consideration of the conference report submitted a moment ago by the Senator from Nevada.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of South Carolina. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SMITH of South Carolina, Mr. SMITH of Georgia, and Mr. WARREN conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the amendment of the Senate No. 13 to the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, with an amendment; agreeing to the amendment of the Senate No. 98, with an amendment; disagreeing to the remainder of the amendments of the Senate to the bill, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of Maryland. I move that the Senate disagree to the amendments of the House to the amendments of the Senate, insist upon its amendments to the bill, and agree to the conference asked for by the House; the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 2743. An act for the relief of the widow of Joseph C. Akin;

H. R. 3253. An act for the relief of Hudson Bros., of Norfolk, Va.;

H. R. 4626. An act to reimburse the Farmers' Savings Bank, of Brandon, Iowa, for currency destroyed by fire;

H. R. 5091. An act for the relief of Preston B. C. Lucas;

H. R. 10860. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation in South Dakota;

H. R. 10872. An act making an appropriation to Stuart, Lewis, Gordon & Rutherford, in payment of legal services rendered by them to the Creek Nation;

H. R. 13354. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 14679. An act for the relief of Jacob B. Moore;
H. R. 14695. An act for the relief of Mrs. H. O'Neill;
H. R. 14754. An act for the relief of Charles M. Way; and
H. R. 16116. An act for the relief of Adelaide L. Gibbs, widow of Robert M. Gibbs.

The following bills were severally read twice by their titles and referred to the Committee on Post Offices and Post Roads:

H. R. 9335. An act for the relief of Mrs. W. E. Crawford;
H. R. 13754. An act for the relief of Charles A. Carey; and
H. R. 14345. An act to reimburse J. B. Patterson, postmaster of Lacon, Morgan County, Ala., for certain postage stamps stolen.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 1764. An act for the relief of John Minahan, alias John Bagley;

H. R. 2212. An act for the relief of George F. Reid;
H. R. 5182. An act requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington;

H. R. 5690. An act for the relief of Alfred Rebsamen;
H. R. 5948. An act for the relief of Hays Gaskill;
H. R. 10255. An act for the relief of David Kirch;
H. R. 15233. An act for the relief of William A. Persons; and
H. R. 15644. An act for the relief of James S. Risher.

POST OFFICE APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.
Mr. BRYAN. I ask that the Senate resume the consideration of the Post Office appropriation bill.

The VICE PRESIDENT. Is there objection?
There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19410) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes.

The VICE PRESIDENT. The pending question is the motion of the Senator from Florida [Mr. BRYAN] to suspend clause 3 of Rule XVI.

Mr. SMITH of South Carolina. Mr. President, I wish to give notice now that in case the motion to suspend the rules in reference to the rate on second-class mail matter is agreed to I shall offer to the paragraph which has just been stricken out on a point of order an amendment, on page 4, line 20, after the word "matter," to insert "except newspapers"; and, on page 5, line 6, to strike out all of the proviso after the word "newspapers," so that that proviso will read:

That nothing contained herein shall affect the free-in-county privilege on second-class matter or the present rate of postage on newspapers.

My object is to except newspapers from the operation of this rate of postage. I think the committee is fully agreed that the magazines and those publications which carry just a minimum of reading matter, the majority of which is not desirable, and a maximum of advertising matter, should bear their share of the loss entailed in carrying that class of matter.

I think that perhaps no question has been deliberated over and the equities involved gone into more than this question of the burden of postage and the losses entailed and the profits which are made. The \$88,000,000 loss in carrying second-class matter, the bulk of which is pure advertising, is a business proposition, pure and simple.

Mr. ROBINSON. What does the Senator say is the loss?

Mr. SMITH of South Carolina. Eighty-eight million dollars. It means that first-class matter, the ordinary letters, the rank and file of the people in their communication socially and in a business way, covering all the desires of the people to communicate with each other, must bear a rate approximating 35 cents a pound in order to make up the deficit that these gentlemen who flood the country with their advertisements may be enabled to carry their published matter without a loss themselves. But I do differentiate between them and the newspapers, which are a necessary evil. We have to depend upon them for the dissemination of news. We have learned in the past to discount the personal equation that the writers of newspapers inject; but I do think at this time they should be exempt perhaps from the operation of this tax, because I think they fall in the category of necessities, just like first-class matter.

If we do not at this time raise the tax on the proper second-class matter and put 1-cent postage on drop letters, as is now proposed in this bill, you will not hereafter raise the postage on the one or raise it on the other, and the Post Office Department will be face to face with an absolute loss in the prosecution of its business. I am not an advocate of the Post Office Department making money, but I am glad that there is a condition where by the use of sound judgment and fair dealing it

can be made to pay its way and give the people the proper service.

If the motion to suspend the rule prevails, as a member of the committee, acting on my own initiative, I shall make the motion to amend that I have referred to.

Mr. SMOOT. Mr. President, I wish to give notice that if the amendment relative to the rate of compensation providing that after July 1, 1917, drop letters shall be mailed at the rate of 1 cent per ounce or fraction thereof is defeated while the bill is in Committee of the Whole, I shall reserve the right to offer that amendment in the Senate; that is, I am not reserving the right to offer the amendment increasing the second-class postage rate, but I shall reserve the right to offer the amendment that drop letters shall be mailed at the rate of 1 cent per ounce or fraction thereof. At the time I offer the amendment I shall submit whatever remarks I wish to make.

Mr. HITCHCOCK. Mr. President, the notice given by the Senator from South Carolina does not, in my opinion, by any means remove the objection to this proposed amendment. It is, in any event, an attempt in the closing days of Congress to enact revolutionary legislation upon an appropriation bill. While it avoids revolution as far as the newspapers are concerned, it proposes the revolution as far as the magazines and the weekly publications of the country are concerned, without giving them an opportunity and without giving the country an opportunity to be heard upon it.

Mr. President, the 1-cent per pound rate of postage was established in 1885 after a considerable discussion and after a great deal of agitation. It was established by an overwhelming vote; the vote in the Senate was nearly 2 to 1; and it has been in uninterrupted effect throughout the country now for something like 32 years. Under it the whole publication business of the United States has been built up. To attempt to revolutionize this by an enormous change in the cost for transportation means to revolutionize the publication business.

Mr. VARDAMAN. Mr. President—

Mr. HITCHCOCK. I will not submit to an interruption just now, if the Senator will permit me. It means to revolutionize the publication business in the United States. When it was proposed in the Congress to reduce the second-rate postage on magazines, weeklies, and daily papers the claim was made that it would involve a loss. That was admitted. The country knew it was a loss. The country knew that it was proposed to carry these daily and weekly papers and these magazines at a loss, for it was accepted as a desirable thing to do because of the tremendous educational effect that would result to the country. The predictions then made, Mr. President, have proven true. Since that time the publication of newspapers, magazines, and other periodicals in the United States has constituted a great educational institution. It is as much an educational institution as our public schools. It has had a tremendous effect not only in spreading intelligence among the American people and making them the best advised and best informed and most intelligent people in the world but it has had a tremendous material effect upon the American people.

The daily paper now which goes upon the rural route to the farmer gives that farmer the market that he must appeal to within a few hours after the close of the day. I do not know how it is with farmers in the South and in other parts of the country, but I know that in the West and Northwest there are millions of farmers taking these daily papers upon the rural routes and depend upon them absolutely for their price quotations on live stock and on farm products at proper seasons of the year.

It has a tremendous effect also, in a material way, in bringing together the vendor and the purchaser, the manufacturer, and the consumer.

Mr. President, the newspapers can adjust themselves to these things, the magazines can adjust themselves to the change after the shock, but they will do it by increasing the price to the subscribers just as they reduced the price to the subscribers when the low rate of postage was put in. The average newspaper in the West, at least, goes out six days a week to all subscribers upon the rural routes, and there are millions of them. Heretofore it has been paying for that paper approximately a little more than 2 cents a pound, but not much more.

Now, we propose to charge that paper as much for the transportation of it as the paper costs the publisher. It is simply an outrage, in my opinion, and it is an outrage which ultimately is going to fall upon the newspaper subscribers.

Mr. President, this great interest which has been built up in this country, embracing some 1,200 daily papers or more, and approximately 15,000 weeklies, the large number of religious publications, the large number of trade publications, form a part of the very body of American civilization. It has entered

into our daily lives, and it is proposed in this eleventh-hour legislation upon an appropriation bill to uproot that whole system.

Do you think that the subscribers of these papers, who have been getting them at the low price for the last few years, are going to be content to see their subscription prices increased \$1 a year, as they probably will be if this is put in effect, and as they must be? The fact is well known to-day throughout the country that thousands of publications are in serious straits because the cost of print paper has been violently advanced 50, 60, or even 70 per cent. This year there are newspapers and magazines and weeklies and monthlies upon the ragged edge of bankruptcy because of the increased cost in the price of paper. Many of the wiser ones have already advanced their rates; others may be compelled to do so. For the others that are attempting to meet the situation; that are attempting still to bridge over the serious difficulties that confront them; that are still attempting to maintain the cheap \$4 a year rate, or \$3 a year rate, for the six-day paper, shall it be made impossible for them to do so by this violent increase in the price of postage without a hearing, without warning, simply because the president of some weekly publication has informed the Post Office Committee that he is willing to concede it?

Mr. President, this cheap newspaper postage does not involve the loss to the Government of the United States which has been stated here upon the floor of the Senate. I know that Senators who have stated it have the warrant of the so-called Hughes report made upon figures something like 10 years ago, but I have every reason to believe, and every newspaper man has reason to believe, that those estimates are reckless. Our whole bill for railroad transportation for mails of the United States is between fifty and sixty million dollars a year. All the post-office transportation for all classes of mail all over the United States is \$60,000,000 a year or less. There is very little actual expense incurred by the Post Office Department for the transportation of newspapers that does not consist of the payment to the railroads for the haul. You mail a letter here in Washington in a box on the street. A letter collector comes and empties that box, takes your letter to the post office, and there it goes through one or two hands and is distributed, is put in the mail, sent to the town, is taken out, and it is delivered by a carrier, or it is put in a box in the post office. There is no such performance with newspapers, either daily or weekly. The overwhelming majority of newspaper mail is either delivered at the post office sacked in bags and routed upon the routes, or it is actually delivered at the railroad station and thrown into the railroad car, the papers themselves furnishing all that transportation.

Mr. SMITH of Georgia. And furnishing the work in their own offices, their own mail clerks in their own mail department, doing all the work that the Government does in the post offices in preparing the mail.

Mr. HITCHCOCK. That is very true. Every newspaper of any considerable size maintains a small post office of its own. It has got to know the routes over its own territory, and it has got to put the paper into sacks which it procures from the post office, and in a very large proportion of the cases it delivers those sacks to the railroad train and they are thrown upon the railroad train, 200, 300, or 500 papers in a sack. When those sacks are opened the packages for each town are found there, and the railway mail clerks only throw those packages off at the proper town when it is reached. To say that that sort of service is anything like the service which is given in letter transportation is absurd. Practically the only expense of any amount which the Government is put to in the transportation and delivery of newspapers is the railroad transportation. It is not within the possibilities that any such enormous loss can be figured out as that which has been computed; but I am willing to say, Mr. President, that if there were a loss as high, or even 50 per cent higher than has been stated here, it would be a good investment for the United States.

This was a proposition which was placed upon the statute books when the eyes of the country were open. It was admitted here upon the floor of the Senate in that discussion that it would involve a loss, and the people were willing to bear the loss because it was predicted that the price of newspapers and of magazines would be reduced to consumers and that there would be a great spread of intelligence. All that has occurred. Newspaper subscriptions are not one-half so high as they were at that time. The penny paper has come into existence since that time; and the farmers since then have been able to secure a daily paper delivered at their doors and to get in close touch with the markets of the country. So I say that every prediction that was made as an inducement to the cheapening of newspaper postage has come true, and the whole system has become part of the web

and the woof of American life. Now, it is here proposed, without any due consideration, without any hearings that amount to anything, without any debate that can be at all thorough, without any statistics that are less than 10 years old, to tear that whole system up, and to compel thousands of publications in the United States to do what? Not necessarily to go into bankruptcy, but to increase their subscription price to their millions of subscribers.

I say that such legislation is reckless; and while I have spoken particularly of the newspaper, because it is the newspaper that I understand and know something about, I would be equally unwilling to see this thing done as against the magazines of the country or against the weeklies of the country. I believe that this system under which we give free distribution to the weekly papers within the county lines is a good one. I believe that the 1-cent rate is a wise one. I do not deny that there ought to be some discrimination. I believe that the great magazines that are transported throughout the country a thousand miles, 2,000 miles, 3,000 miles, 4,000 miles across the country, that only go once a month and flood the mails at that time and make extra work, should pay some higher cost for transportation than the paper which circulates in a comparatively small area every day as an actual necessity of life. But I do not believe that it is just to those magazines nor that it is just to those weekly newspapers to make this change without proper hearings and without consideration.

I have telegrams received from various publications. I have one here from Edwin R. Graham, who signs himself as chairman, and he says:

NEW YORK, N. Y., February 12, 1917.

Senator G. M. HITCHCOCK,
Washington, D. C.:

The religious press of America earnestly protest against the passage of Senate amendment increasing second-class postage. It will work hardship to publications of Protestants, Catholics, and Hebrews, many of which are published without profit. It will discontinue many of these publications, thus removing their influence for moral and religious training in the homes of America, where the foundations for better citizenship are laid.

EDWIN R. GRAHAM, Chairman.

I have a similar telegram from the Christian Herald, of New York, to this effect:

NEW YORK, February 12, 1917.

G. M. HITCHCOCK, Washington, D. C.:

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet; if they are compelled to pay the increased rate it will be impossible for them to survive.

THE CHRISTIAN HERALD.

Those papers have a nation-wide circulation, and while I believe that the lowest rate ought to be given to the local publication with its own constituency, yet I would not localize the whole thing. I think we must have national publications, and I believe it would be a very foolish thing for Congress, without proper hearings, to inflict this change upon them.

The Senator from Indiana [Mr. KERN] hands me a telegram from Frank B. White, managing director Agricultural Publishers' Association, to this effect:

CHICAGO, ILL., February 11, 1917.

JOHN W. KERN,
United States Senator, Washington, D. C.:

We represent over 7,000,000 farmer subscribers to high-grade farm papers, and in their behalf and in behalf of our already overburdened publishers we vigorously oppose any disturbance of existing postal rates for second-class matter at this time. No one is now qualified to foretell the future. Wait until conditions are normal; then reorganize entire system. Give us a chance to be heard. Change now would work great hardship to all and ruination to many, and would not bring a gain to the Government.

FRANK B. WHITE,
Managing Director Agricultural Publishers' Association.

Mr. President, that is the case. I made the point of order against the amendment, first, because it is legislation on an appropriation bill and ought not to be there; second, because it has not had any due consideration; third, because it proposes to uproot, practically without debate or discussion and practically without any demand, a law which was put upon the statute books 32 years ago after a general discussion and after popular education upon the subject.

Senators may think that they are only discriminating against the publications, but, as a matter of fact, they are legislating against the millions who subscribe for these publications, because it is to those millions that the rates will inevitably be raised.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House

agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington.

WATER-POWER DEVELOPMENT—CONFERENCE REPORT.

Mr. SHIELDS. For the managers on the part of the Senate, I desire to submit a report of general disagreement on Senate bill 3331. I ask for the approval of the report and move that the Senate ask for a further conference, and that the Chair appoint conferees to continue the conference with the House.

The VICE PRESIDENT. The Senator from Tennessee submits a conference report, which the Secretary will read.

The Secretary read the report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, having met, after full and free conference hereby report to their respective Houses that it is impossible for the managers on the part of the respective Houses to agree upon any report that would secure legislation in the premises.

They find themselves at such variance on the provisions of the Senate act and the House amendment thereto that they have agreed on a general disagreement, and hereby report to the Senate and House that they can not reach any agreement upon the Senate act and the House amendment thereto under consideration.

JOHN K. SHIELDS,
J. H. BANKHEAD,
KNUTE NELSON,

Managers on the part of the Senate.

W. C. ADAMSON,
T. W. SIMS,
JOHN J. ESCH,

Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. SHIELDS. I move that the Senate request a further conference with the House and that the conferees on the part of the Senate be appointed by the Chair.

Mr. GALLINGER. As we have agreed to a report stating that the conferees can not agree, and have ratified that fact, I do not know that it is in order—

Mr. SHIELDS. I can not hear the Senator.

Mr. GALLINGER. I suggest as the conferees themselves have reported to the Senate that they can not agree and have asked us to ratify that fact it seems to me a little singular that a new conference should be created on a bill that is in hopeless disagreement. I do not know whether there has been a similar case heretofore; it may have been done in some cases, but it looks to me as being rather anomalous.

Mr. SHIELDS. I do not think the situation is hopeless. I think some good will result from a further conference. It is very important legislation, and almost all of those with whom I have consulted desire that a further effort be made to adjust differences and agree upon a bill.

Mr. GALLINGER. I do not at all antagonize the Senator's desire, but it struck me as being rather unusual; that was all.

Mr. BANKHEAD. As I understand, the situation is this: Conferees were appointed on this bill some time ago—I do not remember exactly when—and when they went into conference it was developed that there was some misunderstanding on the part of the conferees of the House as to what could be done with reference to this bill without going back to the House before making any agreement at all. At a recent conference it was agreed that the only thing left was to report a general disagreement, have the matter go back to the House, and request a further conference without any limitations or instructions. That was the trouble with which we were confronted in the original conference. I do not believe that there is going to be much difficulty in securing an agreement when we get down to a real conference on this bill.

Mr. BORAH. Mr. President—

Mr. BANKHEAD. One moment. The report of the conferees on the part of the House is on the table; it has been adopted by the House, and I suggest that it be read.

Mr. BORAH. Mr. President, I suppose the indications of the situation are that the conferees are going to write a new bill?

Mr. BANKHEAD. No; I do not think so. I think the conferees will be perfectly able to take the two bills—the Senate bill and the House substitute for the Shields bill—and after they have had an opportunity to sit down around a table and consider the matter they will be able to work out a bill, taking the best parts of both bills.

Mr. BORAH. There will be the same bill and the same conferees, and I do not understand how they are going to make progress unless they propose to write a new bill.

Mr. BANKHEAD. I have just said that we have never had a real conference. The conferees have met, but it was understood at the time that the House conferees were in such a situation, owing to some conditions that were imposed by the House on the conferees of the House, that they were not at liberty to go into a conference with a view of agreeing upon a bill. So we have reported a general disagreement; the matter has been sent back to the House, and the House has adopted the report with a view of allowing the conferees to have a full and free conference. Under these circumstances, there will be no trouble perhaps in reaching an agreement.

Mr. BORAH. I think I understand.

Mr. SHIELDS. I desire to assure the Senator from Idaho that there is no disposition, at least so far as one of the conferees making this report is concerned, to write a new bill. There are some matters in the Senate bill that could be compromised and adjusted.

Mr. BORAH. The conferees would have ample precedent for writing a new bill. It has come to be more or less customary here for conferees to write new bills. I was not criticizing this particular conference, but was simply trying to keep up with the procession, and note incidents in the establishing of this rule.

Mr. GALLINGER. I will ask the Senator from Alabama if I understood him correctly to say that the conferees were embarrassed because of the fact that the House by action that it took on certain provisions of the bill bound the conferees of the House to a certain line of procedure?

Mr. BANKHEAD. No; it did not bind the conferees, Mr. President, but the chairman of the conference on the part of the House stated to the House that he would not consent to changes in the House bill without going back to the House and making a report.

Mr. GALLINGER. Well, was that agreed to? Did that procedure take place?

Mr. BANKHEAD. As I understand, the bill was ordered to conference on that statement of the chairman of the conference committee on the part of the House. I want to say to the Senator from Idaho that I think we understand the rules, and that if we were to undertake to write into this bill something that was not in conference we would at once get into very considerable trouble.

Mr. BORAH. The Senator is perfectly familiar with the fact that that has been done quite often.

Mr. BANKHEAD. Well, I think it has been done.

Mr. BORAH. It is growing into quite an established custom here.

Mr. BANKHEAD. Yes; I know.

Mr. BORAH. And I felt justified in making the observations I did for two reasons—first, because it has become a custom, and, secondly, because it was not quite clear to my mind how the conferees would make progress under the peculiar conditions here as they have been outlined. That was the reason why I made the suggestion.

Mr. BANKHEAD. I think we will have no trouble in making progress.

Mr. OWEN. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Oklahoma?

Mr. BANKHEAD. I do.

Mr. OWEN. Referring to what has been said by the Senator from Idaho that it is becoming the custom for conference committees practically to write a new measure, I do not think the practice of the Senate ought to be regarded as established permitting that, because obviously that would lead to very serious consequences if it were conceded to be the practice. I assume it is said in a critical aspect rather than in the sense of regarding it as really an established practice.

Mr. BORAH. Well, I trust it will not become any more thoroughly established; but the Senator is quite familiar with

the fact that that precedent has been partially established. It is not necessary to go into the discussion of it. But some bills coming back into the Senate within the last 90 days have been practically rewritten, and, so far as I am concerned, I want to see a halt called on it.

Mr. OWEN. I should like to have it understood that the conferees representing the Senate are not at liberty to write new bills or to do anything more than to reconcile existing differences between the two Houses. That I understand to be the practice, and the established practice, from which no variation should be permitted; and I hope that that will be regarded as the established practice in dealing with such questions.

Mr. BANKHEAD. There will be no question about that.

Mr. SHIELDS. Mr. President, I will say to the Senator from Oklahoma that we understand the rules of the Senate exactly as he does—that the conferees have no power or jurisdiction except to adjust the differences between the two Houses that have been committed to them for consideration.

Mr. OWEN. Yes; I only wanted to have that understood, because I think otherwise it might have led us into some unpleasant consequences.

Mr. SHIELDS. Oh, I think so. It would be entirely wrong to do so.

Mr. THOMAS. Mr. President, I do not think a single instance makes a custom any more than that one swallow makes a summer. I recall only one instance of the kind to which the Senator from Idaho [Mr. BORAH] refers, although I do not pretend to say that there may not have been others. The one which I recall occurred when the conference committee on public lands reported the so-called 640-acre live-stock homestead bill. For the purpose of securing an agreement, new matter was inserted in the bill and reported to the Senate as such. The committee stated at the time that they had exceeded their authority. They also informed the Senate that they had so stated at the conference to the House conferees, and of course the bill as reported was subject to any objection that might have been made to it. During the discussion it was distinctly stated by those who protested against it, and I think accepted without question, that it was not to be considered a precedent under any circumstances. It was permitted to become a law because of the benefits which would flow from the bill and because of the impossibility otherwise of having a bill upon the subject at all.

I feel in some degree responsible—perhaps I should say guilty—of making or joining in the making of such a report contrary to the usual practice and powers of a committee of conference; and I should greatly regret if that incident should ripen into a custom, notwithstanding the great benefit it has conferred upon the people of the West, who have very largely even now availed themselves of its provisions.

Mr. BANKHEAD. Mr. President, I think I can say for the conferees on the part of the Senate that they understand what the rule is with reference to conference reports. Our only purpose and hope is that we can reach a conference in which we will be able to adjust in a measure the differences between the two Houses, retaining, of course, the provisions of one or the other of the bills. We certainly will not attempt to write any new legislation into this bill, nor will any absolutely new legislation be contained in the report. Mr. President, the purpose of a conference is to adjust differences, and there are differences between the House and the Senate that I believe can be adjusted to the satisfaction of both Houses, and I believe we will be able to frame a report that the Senate will adopt.

Mr. WALSH. Mr. President, I am very sure that general regret would be felt if the differences between the two Houses should be found to be entirely irreconcilable, as would appear from the report of the committee.

Mr. BANKHEAD. Mr. President, let me say for the information of the Senator from Montana that the only reason why there were irreconcilable differences between the two Houses is just what I have stated—that the chairman of the conference committee on the part of the House stated to the Senate and the House conferees, for some reason, I do not know what, that he would not concede any of the provisions of the House bill until he had made a report back to the House. Now, that is what we have done. We have reported a general disagreement, with the understanding in the conference and in the House, I think, that a further conference might be held in order that we might have an opportunity to work out these differences without any strings being tied to the matter.

Mr. WALSH. That is what I rose to inquire of the Senator from Alabama—what recommendation he had to make in the matter and what hope he could hold out that the differences might yet be accommodated.

Mr. BANKHEAD. Mr. President, if the Senator from Montana means to ask me what my views are and what I am going to concede in the conference and what I hope to work out of the conference, I will frankly tell him that I can not state. He knows enough about the work of a conference committee to know that it is always a matter of give and take. That is the purpose of the conference. No conferees on the part of the Senate can hope to go into a conference with the conferees on the part of the House and sit down and say, "Here is what we will accept, and we will not accept anything else." That is not a free conference. What we want to do is to have an opportunity, as we have not had for the reasons I have stated, to sit down around our conference table, take these two bills, compare them section by section, and agree upon what the conferees will report, with the hope and expectation that when we have made that report it will be accepted on the part of the House and the Senate.

Mr. WALSH. I merely wanted to find out from the Senator what line of action he felt he could recommend to the Senate.

Mr. BANKHEAD. Mr. President, I do not hesitate to say that as one of the conferees I shall adhere as closely as I can to the provisions of the Senate bill. We may not be able to retain, without some amendment or some change, some of those provisions; but the general principle involved, I think I might say with confidence, will be retained.

Mr. WALSH. Mr. President, one of the great projects the development of which was contemplated by the legislation which it was hoped the Congress would enact is in the State of Washington. It contemplates the development of a site capable of generating over 400,000 horsepower. In anticipation of action by the present Congress, steps had already been taken looking to the development of that great project. For the purpose of indicating to the Congress now the tremendous loss to which the country is subject by reason of the failure of Congress to legislate on this important question, if the Senator from Alabama does not object, I should like to send to the desk and have read by the Secretary a clipping from a recent paper telling briefly about the property and the importance of it.

Mr. BANKHEAD. I have no objection.

The VICE PRESIDENT. As the Chair understands, the motion is to request a further conference with the House, and that the Chair appoint the conferees. Is that correct?

Mr. SHIELDS. That is correct.

The motion was agreed to; and the Vice President appointed Mr. SHIELDS, Mr. BANKHEAD, and Mr. NELSON conferees at the further conference on the part of the Senate.

Mr. WALSH. Mr. President, I ask that the newspaper extract to which I refer be read from the desk.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The Secretary read as follows:

[From the Tacoma (Wash.) Daily News of Saturday, Jan. 27, 1917.]

MILWAUKEE PLANS STIR—FEDERAL OFFICIAL BRINGS NEWS OF GIGANTIC PLANT—RUMORED THAT 500,000-HORSEPOWER PROJECT ON PRIEST RAPIDS, WHICH TACOMA UNITED STATES ENGINEER INVESTIGATES, MAY FURNISH CURRENT FOR ELECTRIFICATION OF MILWAUKEE ROAD TO THIS CITY.

The development of 500,000 horsepower at Priest Rapids, 9 miles from Beverly, the crossing of the Milwaukee Railroad on the Columbia River, is planned by the Washington Irrigation & Development Co., according to G. L. Parker, district engineer in charge of the United States Geological Survey headquarters for Washington, in Tacoma.

The total horsepower development in the State now aggregates only 400,000; so that the contemplated plant will use more power than all the present plants. It is said that an expenditure of between \$25,000,000 and \$30,000,000 at a minimum will be necessary for construction.

TACOMA ENGINEERS CALLED.

The company, a New York concern, through its consulting engineer, Mr. O. Leighton, of Washington, D. C., is cooperating with the State and Government geological surveys on the preliminary work of determining the stream flow at Priest Rapids. The company is paying the expenses and the Government salaries of the men employed. Mr. Parker spent several days there outlining the work, and J. E. Stewart, of the Tacoma office, returned from there to-day. C. G. Paulsen, assisted by John McCombs, from here, are in charge of the work, and will be on the ground until the survey is complete. Mr. Parker was not at liberty to state the use to which the power would be put.

The geological survey here is also cooperating in the development of a great power project at Metaline Falls on Clarks Fork, or the Pen d'Oreille River, Hugh L. Cooper, of New York City, consulting engineer, is representing the firm which proposes to develop eventually 600,000 horsepower. The first installation of machinery will care for about half that amount. This company already has spent \$175,000 for investigation. The dam proposed at Metaline Falls will be 375 feet high, 25 feet higher than the present highest dam in the world—the Arrow Rock Dam near Boise, Idaho. Mr. Cooper built the Keokuk Dam on the Mississippi River, one of the greatest engineering projects in the country.

A third power development is being investigated on the Snake River near Almoda, but the Tacoma office is not cooperating with them.

Action, which it is expected Congress will take within 30 days, may determine the location of the power plant to supply hydroelectric power for electrification of the Milwaukee from Othello to Tacoma.

The mountain electric division of the company is supplied from the Montana Power Co. This power is now under Government control, but the rights are privately owned, and passed to the company before Government regulation of the water power of the country was taken up.

LEGISLATION RESTRICTS.

The incorporation of the Intermountain Power Co. is said to be a branch of the Montana Power Co. Another report is that the company proposes to supply power to mines in Idaho, while it is also believed the same plant may supply the Milwaukee.

Government agents have been investigating the Priest Rapids project recently. The development of water power at this point has been retarded the last three years, say water-power experts, since it is now possible to obtain only a 10-year lease from the Government of water-power projects, and restrictions are such that capital has hesitated to enter the business.

CONNECTED WITH MILWAUKEE.

It is said it will take several months for the Milwaukee to work out the preliminary details of the proposed electrification of 200 miles to the coast, and in the meantime action is expected to be taken by Congress which will aid the development of such projects.

The Priest Rapids project often has been associated with the Milwaukee in its electrification work.

The fact that Government representatives are investigating the Priest Rapids project at this time makes it evident, according to water-power men in this State, that legislation is forthcoming soon to warrant the development of this project.

Mr. WALSH. Mr. President, I am quite sure it will interest readers of the RECORD to learn about the success which has attended the electrification of the Milwaukee road. I send to the desk and ask to have printed in the RECORD, without reading, a newspaper account of that. I also send to the desk a resolution recently passed by the Legislature of the State of Montana, praying Congress for the enactment of legislation upon the water-power question, and ask that that be incorporated in the RECORD without reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ELECTRIFICATION OF "MILWAUKEE" TO BE EXTENDED—PREPARATIONS UNDER WAY FOR MANY MORE MILES OF "JUICE" TRACKAGE—COLD HELPS ELECTRIC ENGINES—GREATEST ELECTRIFICATION PROPAGANDA NOW IN MONTANA IS WORKING O. K. DESPITE SEVERE COLD—THEY BUCK THE SNOW DRIFTS.

Electrification of the Chicago, Milwaukee & St. Paul Railway completed through the Rocky and Belt Mountains and nearly finished in the Bitter Roots will be extended to the Pacific coast. Announcement of the plans was made by C. A. Goodnow, assistant to the president of the Milwaukee system, who has had charge of the electrification work, according to P. H. Scanlan, local Milwaukee agent.

Success of the electrification already completed has been so phenomenal that the electrified line will be extended through the Cascade Mountains. Surveys have been made and the improvement will be completed as soon as possible.

HAS 416 MILES NOW ELECTRIFIED.

Four hundred and sixteen miles of the St. Paul's Puget Sound line in Montana—from Harlowton to East Portal—is now under electrified operation, and work on the 24 miles from East Portal to Avery, Idaho, is to be completed in February. This will furnish the original electrification program of 440 miles.

This work was done in four units, the third of which, from Deer Lodge to Alberton, was completed about two months ago. Winter weather has somewhat delayed the work on the fourth unit, but already electric engines are in operation from Alberton to East Portal, and a month is expected to bring completion of electrification across the Bitter Root Mountains.

EASE OF OPERATION IS FEATURE.

The outstanding feature of the success of electrification is the ease with which heavy freight trains are handled on the mountain grades. Five trains of about 62 cars each are moved daily each way across the mountains by the big electric engines, and estimates are that four hours are saved by each train on each 100 miles.

Recently Louis W. Hill, president of the Great Northern, and J. M. Hannaford, president of the Northern Pacific, took a trip over the 339 miles of the electrified line and they were greatly interested in the sight of electric engines hauling heavy freight trains up the steep mountain grades at a speed of 15 miles an hour.

NO TROUBLE THIS WINTER.

"We have had no trouble in maintaining schedules over our electrified lines this winter, for cold weather helps rather than hinders electric engines, which also buck through snow drifts which stall the steam engines," says Mr. Scanlan. "The time we save on the mountain division has helped insure delivery of freight and passengers on time. Electrification with its increased comforts has brought a marked growth in our business."

"The ease of operation, the time-saving, and other advantages already brought out have led the management to take up the extension of electrification. It is hoped that soon the difficulties of the Cascade Mountains will be solved as have been those of the other ranges. Power can be developed in the Cascades just as it has been in the Rockies. Engineers are now at work on other problems of the improvement. It is a big undertaking, but the system hopes to push it to completion soon."

House resolution 2. (Introduced by Mr. Scott.)

To the honorable PRESIDENT OF THE SENATE OF THE UNITED STATES:

We, your memorialists, the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, do hereby respectfully submit the following resolution:

"Whereas there is now pending in the Senate of the United States a bill for an act providing for the development of water power and the use of public lands in relation thereto; and

"Whereas the State of Montana is desirous of the reasonable development of its resources under such laws and regulations as will effectively conserve the public interest, is vitally interested in the consideration of such water-power bill; and

"Whereas there exists in our State an urgent need for the opportunity of developing its water power as an aid to its industrial growth and progress; and

"Whereas there are situated within the State of Montana many large streams and natural power sites of magnitude and great potential possibilities, the early development of which, for the production of hydroelectric energy and other kindred uses, depends in large measure in the attitude and action of the National Congress in connection therewith: Now, therefore, be it

"Resolved, That we, the House of Representatives of the State of Montana, respectfully ask, in connection with the water-power bill now under consideration in the Senate of the United States, for immediate legislation such as will permit, fully and freely, the development of water power in the streams and power sites on the public lands, and on the Indian reservations in Montana, under such rules and regulations as the Congress of the United States may prescribe.

"Resolved, That a copy of this resolution be transmitted by the secretary of state to the Hon. HENRY L. MYERS and Hon. THOMAS J. WALSH, United States Senators, at Washington, D. C."

I hereby certify that the foregoing resolution transmitted to you this day originated in the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana and was duly passed this 16th day of January, 1917.

S. V. STEWART,
Governor.
JAS. F. O'CONNOR,
Speaker of the House.

Attest:

C. H. TREACY,
Chief Clerk.

Approved January 16, 1917.

S. V. STEWART,
Governor.

Filed on January 16, 1917, at 1.45 p. m.

C. T. STEWART,
Secretary of State.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of an act entitled "House resolution 2" memorializing the Congress of the United States for the early consideration of water-power legislation, enacted by the fifteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, on the 16th day of January, 1917.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 16th day of January, A. D. 1917.

[SEAL.]

C. T. STEWART,
Secretary of State.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19410) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes.

Mr. CUMMINS. Mr. President, I desire to make a parliamentary inquiry. I do not know whether the Chair will be willing to rule upon the matter in advance or not, but I take the liberty of putting the question.

If the motion now pending is agreed to, will the amendment proposed by the committee and referred to in the motion be open to amendment in the same way and to the same extent as though it were originally in order? I think that parliamentary question will determine some votes upon the suspension of the rules.

Mr. BRYAN. Mr. President, I do not think there is any doubt that the amendment will be open to further amendment. We set a precedent for that recently.

The VICE PRESIDENT. The opinion of the Chair is that if the rules are suspended for the purpose of enabling the Senator from Florida to offer an amendment, which is general legislation, that opens the door for all amendments upon the particular subject embraced in the amendment of the Senator from Florida, but does not open the door for all general legislation on the bill.

Mr. CUMMINS. But any amendment pertaining—

The VICE PRESIDENT. Any amendment which has to do with newspaper, periodical, and letter postage.

Mr. CUMMINS. Anything pertaining to letter postage would be in order?

The VICE PRESIDENT. That is the opinion of the Chair.

Mr. BORAH obtained the floor.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 8148) to define and punish espionage.

Mr. OVERMAN. I ask unanimous consent that the unfinished business be temporarily laid aside that the Senate may proceed with the consideration of the Post Office appropriation bill.

The VICE PRESIDENT. Is there objection to laying aside the unfinished business temporarily for the purpose of proceeding with the Post Office appropriation bill? The Chair hears none. The Senator from Idaho.

Mr. BORAH. Mr. President, it is not my purpose to discuss the merits of this amendment, either as it has been proposed or as it may, by reason of other amendments, come before the Senate; but no one could have listened to the statement of the able and courageous Senator from Florida [Mr. BRYAN] without knowing that there is an evil here to be remedied, that there is an injustice to be righted. The only thing that I desire to say is that it seems to me to be the clear and unmistakable duty of the Senate to openly and candidly meet this question, and to that end that we should suspend the rule to enable the matter to come directly before the Senate for disposition.

I do not commit myself at this time as to what particular method should be pursued in order to remedy the wrong, but I am very clear in my mind that some legislation ought to be had, and that the Senate can do no less than to meet the situation by suspending the rule and enabling it to come before the Senate. When it comes properly before us we can work out the detail, but that something should be done I have no doubt.

There has been a great deal said upon this subject from time to time. There is one extensive and illuminating report in regard to it; there have been hearings; and I am rather of the opinion that most Senators have made up their minds in a general way as to what ought to be done. It does not seem to me that we need to take very considerable time to dispose of it. I do sincerely hope that the Senate will suspend the rule and enable us to meet this matter and dispose of it. Let us not shirk the responsibility.

I have received during the last 48 hours, as every Senator in the Chamber no doubt has received, a great number of telegrams, and I have received some most extraordinary communications, communications which make it all the more desirable upon my part that we should come out in the open and dispose of it. I do not want them writing to me as a Senator of the United States and saying that it is a dangerous matter as a political proposition to touch or deal with this subject, and to call my attention to the fact that some who have undertaken to deal with it have been punished politically for doing so. If there is that kind of a threat pending over this body, it ought to meet it by disposing of this question, and I sincerely hope that we may do so.

Mr. VARDAMAN. Mr. President, I am very glad the able and patriotic Senator from Idaho [Mr. BORAH] has made that statement. I am not in any way interested in the publication of a newspaper, and, therefore, what I say will not be colored by personal interests. However, I have devoted a good deal of my life to the newspaper business. I know the difficulties, trials, and tribulations of the country newspaper because I have been a part of it. The country newspaper does a great service to mankind. Its editor lives in close contact with his subscribers; he is familiar with their wants, moved by their necessities, sympathizes with them in their sorrow, and rejoices in their hour of happiness. His columns are devoted to the protection of their interests. He supports the measures that will promote the interests of the toiler, publishes the news useful and helpful to his subscribers in the management of their affairs. He stands for measures of reform and inculcates moral truths, all of which is for the public good. I would not have this Congress enact a law that would in any way hinder or encumber the honest newspaper in the performance of its proper function or deny to its owner a fair return from the money invested in the plant.

I realize the very great advantage which the people of the country derive from the circulation of a great, clean, intelligent, brave newspaper. The opportunity of the editor to serve his country and help his countrymen is greater than any other function in modern society. I realize also that the rural mail delivery and all the facilities provided by the Government for the distribution of newspapers have wrought a wonderful work in the matter of education.

The able and learned Senator from Nebraska [Mr. HITCHCOCK] spoke of the great newspapers that have grown up under this system which was established many years ago. He referred to the fact that newspapers are sold cheaper now than heretofore. That is all very good and very true; but the newspaper did not reduce the subscription price to serve an altruistic purpose because of any special desire to benefit the reader. That was not the sublime purpose that inspired the newspaper manager's soul. The price was reduced that all people might be able to buy it, the circulation increased, and the value of its advertising space enhanced. The newspapers do not make any money on the subscription price, any way, but every subscriber added to the list increases the rate charged the advertiser.

Now, to say that the American people should be forced to give this subsidy to the newspapers to the amount I think the

Senator from South Carolina [Mr. SMITH] said of about \$80,000,000 a year is not fair, it is not just to the other taxpayers, and the Senate can not afford to be intimidated in the performance of its manifest duty because perhaps you may incur the displeasure of some newspaper publisher who would resent cutting down his profit. I can not think there is a Senator in this Chamber who would be deterred from the performance of his duty by such an ignoble consideration.

The same argument made by the Senator from Nebraska would apply against revising the tariff, because all the great business enterprises of this country grew up under the fostering care of a protective tariff. Shall the abuse be permitted to continue when we know it is a subsidy, when we know we are giving it to an enterprise, that it is not altruistic in its purposes, that it is not a charitable concern by any means, but rather a cold-blooded business undertaking?

To-day in the United States the large newspapers are making more money than they ever made before; they are getting larger prices for their advertising space and therefore better able to bear a part of the enormous expense of government at this time.

The newspapers of the country are responsible more than any other agency for the creation of the public sentiment that has caused Congress to make the unprecedented, unparalleled appropriations that have created the deficit in the Treasury.

I submit, Mr. President, it is not fair to the American people to further increase that deficit by voting this undeserved and unnecessary subsidy to the metropolitan newspapers and magazines of the United States.

The motion made by the Senator from Florida ought to prevail, the rule should be suspended, and the amendment proposed by the committee should be adopted because it is right. We owe it to the American people to do that.

Mr. LEE of Maryland. Mr. President, the question of doing something to regulate the large newspaper corporations of the country and to discourage and destroy if possible the venality which now so largely controls them is a very grave question before the American people. I have recently become aware of an instance that I think exceeds in corruption and lack of patriotism on the part of many of the large newspapers of the country anything that ever happened before in the history of the press. Some years ago I saw a ballad, possibly by Kipling—it certainly was Kipling-like—entitled "The Russian Battleship," a story of a battleship that had been built, equipped, and paid for out of the Russian treasury, and yet never existed at all. The books of the Imperial treasury were balanced, so to speak, by entering, according to the ballad, against the entries for this fictitious ship, charges against the resources of Russia, the simple statement, "Lost at sea."

Mr. President, this story, poetical or imaginary, as it may be, of corruption in the Russian naval administration was doubtless smiled at, in rather a superior way, by the English-speaking peoples who read it. Such a thing happening in the Russian Navy or the Turkish Navy or the Chinese Navy, from our standpoint of Anglo-Saxon superiority, could not possibly happen to our navies.

Yet, Mr. President, something as bad as that or worse has been attempted and, so far as many of our great newspapers are concerned, has happened within the last three or four weeks, and I am under the impression that the Members of the Senate, so skillfully has this matter been concealed, are hardly aware of the point of the matter. This thing that was acceptable to so much of the press of the country not only implied the loss of one battleship, but it implies the possible destruction of our whole fleet. It implied, in effect, leaving our coasts undefended by our battleships, and, in the face of the great movement for preparedness, shows a combination between the venality of a great corporation and the assistant venality of the press. Yet the incident itself has escaped the attention and understanding of the American people as well as of many of their legislative representatives here in Washington.

I refer to the question of the quality of shells for the Navy. What good is there in having a Navy, in having educated naval officers, in having expensive battleships, in having great guns upon those battleships, and manufacturing your powder with expense and care when, by a conspiracy for profit, defective shells must be used in meeting an enemy fleet?

Mr. President, the policy of having defective shells to fire at an enemy, which has been defended by some of the great shell-making corporations in this country has been covered up, in its horrid details, by venality and suppression of news in many of our great newspapers, evidencing a willingness to disarm our fleet and leave our country undefended, if carried to the conclusion that these people evidently desired.

But fortunately we have a brave and honest man at the head of the Navy Department in Secretary Daniels. He had been

caricatured by these very people who would disarm our fleet, extensively caricatured, because they knew the type of man they had to deal with. They sought to break him down, knowing him to be too well informed and too courageous for their purposes. We have also brave and able officers in the control of our Navy, officers standing behind an honest Secretary, and they were all willing to expose this thing as far as it lay in the power of the Secretary and the officers of the Navy to expose it, when most of the press of the country was endeavoring to conceal it.

Mr. President, money seems to have passed. This betrayal of our Navy by the press was apparently paid for. The head of the great concern that made most of the defective shells put in the newspapers of the country expensive advertisements attacking the Navy Department for giving this contract to a foreign company. Immediately after that the Secretary of the Navy prepared a bulletin, and that bulletin gave the details of this defective-shell business, but the heart of that bulletin was cut out by the newspapers of the country. I have mentioned the matter to a half dozen Senators and none of them, with one exception, had any knowledge of the actual facts in the case. One great newspaper, the New York Times, had a full statement of the Navy Department bulletin. It would be a public service if it could be exactly ascertained just what papers accepted the advertising and suppressed the most convincing details of the Navy Department bulletin. So far as I am advised a great number of the papers of the country have suppressed the vital portions of that bulletin.

Mr. President, does the country understand that the Bethlehem Steel Co., out of thirty-four 14-inch shells submitted for test, could only pass three of them, or, in other words, that an American battleship firing 34 such shells at an enemy would be firing only 3 perfect shells? So it went through the list. One company, however, got up to 73 per cent of good shells.

On the other hand, the foreign company that got the contract qualified every one of its shells, or 100 per cent; so that using those shells every one fired at an enemy would be good, and our Navy would at least have an equal chance with a navy equally well provided with good missiles in its great guns.

Mr. WADSWORTH. Will the Senator yield? I desire to ask him a question for my own information. I understood him to say a moment ago that a foreign company had made the test with its shells.

Mr. LEE of Maryland. The foreign company qualified 100 per cent. So the Secretary of the Navy says. I will read from this statement very briefly, the main part that was apparently suppressed by the newspapers, so that the Senator, who naturally may not have seen what had been suppressed, will understand the situation:

In 1913 the Bureau of Ordnance, convinced by reports from abroad that the makers of shells for foreign navies had succeeded in perfecting an armor-piercing shell which could pass more severe tests than those we were stipulating up to that time, increased the severity of our own requirements, and, convinced that there was no good reason why our manufacturers could not manufacture shells of equally good quality, raised our test requirements. There was an immediate storm of protest from those companies enjoying practically the monopoly of this business, although it was pointed out that these conditions were no more severe nor even as severe as those enforced abroad, and that shells that could meet these tests were actually being manufactured abroad and could be manufactured here. Some American companies seemed to think that it was our duty to let them go ahead in the same old way, manufacturing shells inferior to the best rather than to expect them to improve their product. Of course, their pleas and even their thinly veiled threats to go out of the business if we did not concede this right to them were ignored.

Now, Mr. President, here come the deadly actual facts. Here come the facts that the press quite generally, so far as I am informed, suppressed, the very newspapers that received the large advertisements from this great corporation a few days before. The Senator from Mississippi [Mr. VARDAMAN] said just now that the newspapers to-day are not running on their subscriptions, that they are running on their advertisement accounts, and this is a pretty good illustration of how completely they are running on their advertisement accounts, especially when dealing with a matter that is absolutely vital to the defense of the country. The Secretary of the Navy, continuing this bulletin, says:

I regret to say that these companies, apparently secure in the belief that we would have to take whatever kind of shells they manufactured anyway, and at any price they saw fit to make, have not improved their projectiles to meet the real requirements. I would be most reluctant to publish these figures did I not believe that they were well-known abroad, and in view of this I feel no harm can be done in letting our own country know the facts.

Out of thirty-four 14-inch shells submitted by the Bethlehem Steel Co. for test 3 passed, a percentage of 8.8. The Crucible Steel Co. managed to get 37.7 per cent of the sample shells submitted passed, and the Midvale, which apparently showed more enterprise and real desire to bring up the standard than others, passed 73 per cent, a most gratifying improvement over the others, and which shows that our contention that American companies can produce good shells is well founded. Of

the shells submitted by the Hadfields (Ltd.), consisting of three sample shells and six additional test shells, not a single one failed to meet all the requirements.

Mr. President, I would like to put this entire bulletin from the Navy Department in the RECORD, and if there is no objection I will not read it further.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Without objection consent is given.

The matter referred to is as follows:

STATEMENT FROM NAVY DEPARTMENT.

WASHINGTON, D. C., January 20, 1916.

Several newspaper comments on the recent award of armor-piercing shells to an English firm, evidently based on a complete misunderstanding of the situation, and a particularly silly article in the Daily Metal Reporter of January 15 convince me that a concise statement of the experiences of the department in obtaining shells equal in quality to those used by foreign navies at a reasonable price is necessary to enable the public to understand what has been going on.

The Daily Metal Reporter's editorial writer advances the amusing theory that Hadfields (Ltd.), which is the name of the English firm whose bid for armor-piercing projectiles has been accepted, put in their bid at the instigation of the British Government to create a panic in the American steel market, so that the British purchasers of steel could batter down the prices. Aside from the patent absurdity of attempting to use this small order for such a purpose, it is only needed to note that to sustain this theory it is necessary to assume that six months before the war began Great Britain was able to forecast the situation to-day, as Hadfields put in their original bid for practically the same shells at that time. When certain American manufacturers learned in 1914 that Hadfields would submit bids, they reduced their price from \$500 to \$315 each on 14-inch shells and on other sizes in proportion and secured the contract at their bid, thus enabling the Navy to effect a saving of \$1,077,210 on the one order. The department wishes to give all its orders to American manufacturers whenever they quote reasonable prices and furnish shells that meet Navy requirements. Nothing but the utter failure of the most patient negotiations and appeals to the patriotism of the little group of steel manufacturers which have a practical monopoly of this business have made it imperative for the Government to build a projectile factory and give a contract to a foreign bidder. The Bethlehem Steel Co., controlled by Mr. Schwab, which has been filling the papers with advertisements criticizing the Navy Department, admits in its latest advertisement that, though it was two years ago awarded a contract for one and a half million dollars worth of shells, it has not yet made shells to meet the requirements of the Navy Department. Until it is able to fill its contracts it does not become the Bethlehem company to criticize the Navy Department for awarding contracts to manufacturers who can make shells that meet the tests.

I regard the attitude of these companies in this and other matters as most unfortunate, and, were there no relief through competition either by the Government or by other more patriotic firms, I would feel that they were putting our entire program of preparedness in peril. In urging the necessity for our tremendous program of naval development in Congress, I found the most serious obstacle to contend with was the feeling of many Congressmen that the whole matter of preparedness was a deliberate organized campaign on the part of manufacturers of war material to obtain enormous contracts at fabulous prices. I did not share this opinion. The splendid action on the part of some other manufacturers in foregoing the chance to obtain war profits from the material needed in the construction of our new program has justified my belief that the manufacturers of this country as a whole are willing to assume their share in the program of preparedness without abnormal profits. That other large manufacturers of war materials should persist in extracting the last penny of profit from our urgent necessity gives a certain color to the arguments of those who believe that "preparedness" is a synonym for profits and not patriotism.

There is, however, an even more serious consideration in this particular matter of shells than that of money. In my hearings and elsewhere the money side of it has been put before the public—how the price of shells crept up to \$500 apiece in 1912; how the knowledge that the Hadfields were prepared to make a reasonable bid in the latter part of 1913 led to a sudden cutting of the price to \$315; how the elimination of the English competitor by the war resulted in an increase of over \$100 per shell in the latter part of 1914; how, still resting under the belief that no foreign competition was to be expected, some American companies raised the price to \$539 in 1916—all this has been made clear before.

What has not been made clear, however, is the failure of the companies manufacturing projectiles, with no spur of competition to drive them on, to keep pace with the improvements in the quality of armor-piercing shells that were being made abroad. A difference in the price of shells can be expressed in dollars and cents. Inferiority of weapons of defense, when the fate of the battle may easily depend upon this single element, can not possibly be expressed by any amount of money, however large.

In 1913 the Bureau of Ordnance, convinced by reports from abroad that the makers of shells for foreign navies had succeeded in perfecting an armor-piercing shell which could pass more severe tests than those we were stipulating up to that time, increased the severity of our own requirements and, convinced that there was no good reason why our manufacturers could not manufacture shells of equally good quality, raised our test requirements. There was an immediate storm of protests from those companies enjoying practically the monopoly of this business, although it was pointed out that these conditions were no more severe nor even as severe as those enforced abroad and that shells that could meet these tests were actually being manufactured abroad and could be manufactured here. Some American companies seemed to think it was our duty to let them go ahead in the same old way, manufacturing shells inferior to the best rather than to expect them to improve their product. Of course, their pleas and even their thinly veiled threats to go out of the business if we did not concede this right to them were ignored.

I regret to say that these companies, apparently secure in the belief that we would have to take whatever kind of shells they manufactured, anyway, and at any price they saw fit to make, have not improved their projectiles to meet the real requirements. I would be most reluctant to publish these figures did I not believe that they were well

known abroad, and, in view of this, I feel no harm can be done in letting our own country know the facts. Out of thirty-four 14-inch shells submitted by the Bethlehem Steel Co. for test, three passed, a percentage of 8.8. The Crucible Steel Co. managed to get 37.7 per cent of the sample shells submitted passed; and the Midvale, which apparently showed more enterprise and real desire to bring up the standard than others, passed 73 per cent, a most gratifying improvement over the others, and which shows that our contention that American companies can produce good shells is well founded. Of the shells submitted by the Hadfields (Ltd.), consisting of three sample shells and six additional test shells, not a single one failed to meet all the requirements.

In view of this record and of the necessity of having our ammunition equal to that of other countries, I felt that I would have been criminally negligent, even if no question of price were involved, in refusing to accept the bid of the Hadfields. I am determined that our Navy shall have as good ammunition as any other nation and, if possible, better ammunition, and will buy such ammunition at any time and any place that it can be best obtained.

As I have repeatedly pointed out, all questions of price or profits being eliminated, a monopoly invariably leads to stagnation. It is only human nature for a firm certain of getting an order to avoid the expense of the experiments and improved processes required to improve the quality of its goods. This is exactly what has happened in the manufacture of armor-piercing projectiles. Nothing could better illustrate the necessity of competition if we are to keep abreast of other Governments and of the soundness of my contention that if competition can not be secured otherwise the Government itself must compete.

As to the contention that by establishing a Navy plant we are going to force private manufacturers out of business, it is an absurd and untenable theory. Our requirements, with an ever-increasing Navy, will of necessity be greater each year than the year previous. There will always be plenty of work for the private manufacturers so long as they are willing to improve their product so as to keep abreast of foreign Governments and to quote a just and reasonable price for what they make.

I have never had in mind a Navy plant of greater capacity, working one shift of men, than one-third of the total amount required by the Navy. The two-thirds left for the private manufacturers, with our new ships in commission, will be greater than the whole amount of a few years ago. Only in case of an utter failure on the part of the private manufacturers to keep their product abreast of the times or to quote prices in any way reasonable would it be necessary for the Navy, by working three shifts instead of one, to manufacture enough material to cover our entire needs.

In recent years the Navy has built some of its own ships, has manufactured a large amount of its own powder, and has also undertaken to manufacture a number of smaller articles which are also purchased; yet to-day we have more work for the shipyards than they can handle; the powder manufacturers are still receiving contracts; and in the smaller materials we have no complaints from the private manufacturers that we have driven them out of business. The theory that a Navy plant will result in a Government monopoly has been proved false by what has happened as well as being obviously unsound.

Mr. THOMAS. Mr. President, I merely wish to say, if the Senator from Maryland will permit me, that the suppression of important information which is detailed in that bulletin is not an isolated instance. During the existence of the present Congress the Senator from Nebraska [Mr. NORRIS], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from North Dakota [Mr. McCUMBER], and myself, upon more than one occasion, called attention to the testimony of certain naval officers, presumably experts upon the subject, to the effect that before the outbreak of the European war the Navy of the United States ranked second in strength to all the navies of the world; in other words, that our naval strength was only second to that of Great Britain at that time; and the same statement was made two or three times from other sources. I have never been able to observe that that information was given to the public; yet it is a very important matter.

Mr. LEE of Maryland. Mr. President, I will briefly conclude what I have to say on this subject, as I do not expect to vote for the amendment suggested by the Senator from Florida. I do not believe, Mr. President, that this matter of newspaper postal rates, which should go with some regulation or provision for fair journalism, ought to be taken up in this way. I think the question of these rates is a very large and a very grave question. I think it is so large a question that it has got to be dealt with more completely than is possible on an appropriation bill and under the circumstances which now confront the Senate. I am convinced that the whole matter has to be more fully gone into, and the question of the rates dealt with at a time when the Senate and the American people can pay full and proper attention to it. It is a subject really most vital to the interest of our country. I do not think it can be disposed of under circumstances such as those that confront the Senate and on an appropriation bill. It should be broadly considered and the whole matter disposed of as a matter of general legislation, and in a way that will protect the interests of the country, and not be brought up here under an extraordinary motion to be handled on an appropriation bill in the expiring days of the Congress. It is a large matter, as I have shown, going to the very vitals of the defense of the country. We really do not know where this proposition comes from about increasing these rates. I would rather see the rate of one and a half cents a pound stand than to increase it to 2 cents and not know what the effect is going to be in shutting the door to the little crack

of light that does come through the darkened journalism of the country to enlighten the consciences and inform the voters of our Nation.

Very frequently propositions fatal to liberty come to us veiled with the suggestion of economy. I would go on and bear the burdens we are bearing rather than close down upon smaller newspapers or the possibility of slashing newspapers and periodicals through which the news may creep out to the people.

Nor do I believe, Mr. President, that this is the time to reduce the rate of postage on the postal matter mentioned in the first portion of the amendment. It is better to raise that money under present conditions in the way that it has already been raised, and if there is a surplus let it go to relieving the burdens that will fall on the people of the country in other respects in the Postal Department and in other departments of the Government.

This is a very broad question, Mr. President, and I am disposed to vote against the motion of the Senator from Florida, because it is so large a matter that I do not believe it can be wisely settled by this type of an amendment on an appropriation bill.

Mr. KENYON. Mr. President, I shall vote for the motion of the Senator from Florida and wish to give my reasons for doing so. Certain things have been established in this debate very clearly, namely, that there is an injustice in our postal rates; and that the second-class matter is not carrying its part of the burden. Just what portions of the second-class matter are receiving benefits or favors or subsidies, call it what we may, is a difficult point in my mind to determine, but I will vote to set aside the rule in order that the whole question may be thrown open and see if we can not reach a just basis. My vote on this question does not indicate my vote on the amendment pending.

Certain it is that the magazines of the country are receiving favors from the Government in transportation that they should not receive. It has been cited here that the distribution through the mail of the Saturday Evening Post is costing the Government something like \$3,000,000 more than the Government receives for the service. That is wrong. I do not know just the way to correct it. There is a difference, it seems to me, between the magazines and the newspapers. I think there should be some differentiation in the newspapers themselves and postal rates. Many of the large newspapers of the country with heavy advertising can carry an increased burden without any difficulty. On the other hand, there are a great many small papers just struggling along, and especially just at this time, educational papers, religious papers, agricultural papers that may have to suspend publication if their rates are raised. I do not know whether that is true or not. If true, it would be very unfortunate; and it is claimed by many of them that it is true.

Of course, the diffusion of knowledge is the argument that is always presented, and it is a strong one. I would be in favor of the Government bearing a very great burden to carry knowledge out to the people, and perhaps to do more in that respect than at first glance might seem to be a proper thing to do. You go into the homes of this country on the farms or the homes of the great mass of the people who toil and you will find they gather around at night and take up the papers. They become acquainted with the events of the day. A home without a newspaper is a pretty barren and desolate place. They are instrumentalities to diffuse knowledge.

When, however, we come to talk about subsidies I think we ought to go a little further and consider how we are subsidizing ourselves in the mails, and whether or not there should be some remedy as to that. You can go by the offices in the Senate Office Building and other places and find sacks and sacks of free material amounting in the aggregate to tons that are going out free into the mails of the country, burdening the mails by the excessive exercise of the franking privilege. If we are going to stop subsidy, we had better stop subsidizing ourselves.

However, I merely rose to say that I shall vote to suspend the rule in order that the whole subject may be thrown open here, and, if possible, that we may reach a fair measure which will place the burden where it properly belongs as to second-class postage rates.

Mr. NORRIS. Mr. President; I was necessarily absent from the Senate during all of yesterday, and have not heard nor had an opportunity to read the debate as it has progressed on the question now pending.

I intend to vote for the motion of the Senator from Florida [Mr. BRYAN]; and yet in the end, if it prevails, and the amendment that the Senator has offered—which I take to be the same amendment which appears on pages 4 and 5 of the bill—is to come to a vote and I am required to vote for or against the amendment without change I shall vote against it.

The amendment consists of two distinct propositions. One is that after the 1st of July next so-called drop letters may be mailed for 1 cent instead of 2 cents in cities where there is delivery of the mail. Of that proposition I have been in favor for several years. It seems to me that a letter mailed in a city, a letter that is not to be carried on the railroads or over a star route, but is simply to be delivered in the city, ought not to require the same amount of postage as do other letters. Certain it is that at the rate of 1-cent postage there would be a very large profit to the Government in the business. I think the estimates which have been made at various times as to the loss are erroneous, because there is no doubt that that change of the law as to rates would vastly increase the number of letters of this kind. Business men in all the cities of the United States would avail themselves of the opportunity which it would present to do a vast amount of business through the mail which they now do through the messenger service. I think it is conceded by everybody that at 1 cent there would be a large profit. So I should favor that proposition under practically any kind of circumstances. It seems to me that it is but justice.

Now, as to the remainder of the amendment, that part which provides for increasing the rates on second-class mail matter from 1 cent to 2 cents, although it takes two years to finally reach that rate, it seems to me that the form of the amendment will not accomplish what those who favor it desire to accomplish. I am favorable to an amendment that would properly increase some of the charges that are made against second-class mail matter. The instance given by the Senator from Iowa [Mr. KENYON] a few moments ago, of the Saturday Evening Post, it seems to me is absolutely unanswerable. The publishers of that paper ought to be required to pay something nearer the actual cost of the transportation which the Government furnishes. It is not right that the Government should subsidize one publication to the vast amount that it is claimed—and, so far as I know, admitted—goes to that publication and to all similar publications. But the amendment proposed by the Senator from Florida and also the amendment proposed by the Committee on Post Offices and Post Roads seek in their effect simply to double the rate, to raise it from 1 cent to 2 cents.

Mr. President, as I look at it, that would simply extend the territory over which the express companies could operate with a profit in the handling of these publications. As I understand, even at 1 cent, a large amount of second-class mail matter is sent by express within reasonable territorial limits of the place of publication. I understand that the publication referred to—the Saturday Evening Post—sends a large amount by express at a rate even less than 1 cent a pound. It seems therefore that the Government of the United States, in carrying second-class mail matter at 1 cent a pound within certain limits, makes a profit on the business. I do not want to make any profit out of this business; I would not complain if there were a small deficit. So it seems to me that when we simply increase the rate from 1 cent to 2 cents we extend the territory over which the express companies can operate. The result will be that the profit of a part of the business will be done by the express companies and the unprofitable part of it will be handled by the Government; in other words, the publisher of a magazine will, of course, patronize the express company—and I am not complaining about that; that is what I would do; that is what any business man would do—wherever he could do that and save money by the operation. So, if we increase the rate to 2 cents, we have simply added to the territory in which express companies can operate; and when it gets beyond the limit where the express company can not carry the papers at a profit, and will therefore refuse to carry them, then the publisher will utilize the United States mails. Therefore, where these publications are carried at a loss, we shall do all the business, and where they are handled at a profit the express companies will do it all.

It seems to me that a fair way to do would be to base the postage upon the zone system similar to the parcel post, and in that connection in the first zone I think it ought to be a decreased rate; it ought to be less than 1 cent. Perhaps it should also be less in the second zone. That would depend, of course, upon the size of the zone; but, at least, we ought to so regulate it that we should get paid in some degree for the amount of work and labor involved in the transportation proposition, which the Government performs. It is not right that we should carry a carload of Saturday Evening Posts from Philadelphia to New York and carry another load from Philadelphia to San Francisco and charge the same rate, the same amount of money in both instances.

It strikes me, Mr. President, that what we ought to do is to reach, if we can—and we can do so, comparatively speaking, of course, not definitely in all conditions, but we can do it in a similar way to that by which it has been done by the Parcel Post Service—gauge the price by the service. No man ought to object to that.

There is another proposition involved in this which I should be glad to meet if we could. I think it might be possible to differentiate between publications that are published for profit and those that are published for charitable or for other similar purposes. The Senator from Mississippi, it seems to me, has well said that the newspapers—and he said it without criticism; and I say it in the same way, without criticism—are not published, at least a large majority of them are not published, as a matter of charity or of philanthropy, but as a financial proposition by the owners and publishers. On the argument that the Government ought to do something toward the dissemination of information, it might be that the Government could afford to pay, or ought to pay, some subsidy. That, I think, is a question that has two sides to it; but it strikes me that when we come to pay the enormous subsidy that the Government is paying for some publications, it is so far beyond reason and justice that it ought not longer to be tolerated.

I shall vote for the motion of the Senator from Florida on the theory that, if the matter comes before the Senate, it will be subject to any relevant and material amendment, and in the hope that we may be able to get out of it something that will be practicable and fair.

Mr. JONES. Mr. President, the first question that will come before the Senate in connection with this matter is the motion to suspend the rules. I do not think that the usual objection to a motion of that kind applies in this case. I think the rule which prohibits legislation upon general appropriation bills is generally a good one and serves a good purpose, but the reason for its application in this case, I think, does not apply.

This is no new question; it is a matter that has been discussed for a great many years. It has been generally conceded that we are paying for the carriage of second-class mail matter many millions of dollars more than the revenue derived from it. I never heard the loss to the Government estimated so high as it has been in this debate; but it seems that the higher figures are based upon reliable information.

Like the Senator from Nebraska [Mr. NORRIS], I would not object to paying something more than it costs the Government to carry these publications. I think they serve a very useful purpose. I do not think it is the intention of the Post Office Department to make money out of the service it renders, but, in spite of all that, the people of the country should not be required to pay such tremendous sums over and above what is derived from the service rendered various publications.

So I hope that the motion to suspend the rules will be adopted, in order that the Senate may have an opportunity, at any rate, to pass upon the various questions involved in this amendment and in the amendments which may be proposed to it. I do not think we ought even to appear to hide behind this rule in order to prevent a vote upon the merits of the question presented. As I have said, the subject has been considered more or less in Congress and out of Congress for a great many years. Commissions have been appointed to investigate it, and one commission especially made a very thorough investigation and reported the facts. The amendment now proposed was prepared by the committee having jurisdiction of this subject matter. The committee has no doubt given it careful consideration, and it brought the amendment into the Senate as a part of the Post Office appropriation bill. It went out on a point of order, and now the committee itself is endeavoring to have it considered under this motion to suspend the rules. So all of the reasons for the application of the rule are really obviated by the conditions and the circumstances under which this motion is made.

The only consideration that makes me hesitate in regard to voting for both of the propositions concerned in the amendment is the present condition of things. If conditions were normal, I would not have any hesitancy about voting upon the substance of these propositions. I might like to see one or two changes or amendments made in some respects; but as to the merits of them, the principle of them, and the substance of them, under normal conditions I would vote for them without any hesitation whatever. I hesitate to vote for a proposition to reduce postage rates on certain first-class matter to 1 cent because of the effect it would have upon the revenues. It seems to be conceded generally—not by all, but by many—that it would involve a loss in our revenues of possibly \$15,000,000 or \$20,000,000. That is a very serious matter at the present time and under present conditions.

Then it is claimed by those who know that the conditions under which the newspaper and magazine publishers are working are very bad, almost desperate, and that to increase the postal charges, even by so small an amount as it is proposed to increase them by the amendment, will work very great hardship. These, however, are questions that we can consider upon their merits, and will be open to consideration if we suspend the rule. In order to get the matter before the Senate, in order to have an opportunity for us to vote one way or the other upon the different propositions and pass upon them on their merits and that the Senate may take a position upon them, I myself am going to vote for a suspension of the rule, without indicating especially how, under the peculiar circumstances, I shall vote upon the different propositions.

In line with the last suggestion of the Senator from Nebraska [Mr. NORRIS] in regard to a zone system with reference to second-class mail matter, which appealed to me somewhat, I desire to ask the Senator in charge of the bill whether that has been given consideration by the committee? In that connection I will read a telegram which I received this morning from one of the leading newspaper men of my State:

SPOKANE, WASH., February 12, 1917.

Senator W. L. JONES,
Washington, D. C.:

Proposition for blanket increase second-class postage to 2 cents destructive to all local publishing enterprises. Unjust to carry competing publications from points 2,000 or 3,000 miles away into our territory at same rate charged us for 25 or 50 miles in our immediate field. If increased rates necessary, zone system only fair method. Government now makes profit on short haul on local publications at 1 cent pound; loss is on long haul.

W. H. COWLES,
For the Washington Farmer, the Oregon Farmer,
and the Idaho Farmer.

It seems to me that there is considerable force in the suggestion contained in that telegram, and I should like to ask the Senator from Florida what consideration the committee has given to that phase of the subject?

Mr. BRYAN. Mr. President, I intend to refer to that before the debate is concluded.

Mr. JONES. Very well. Then the Senator can state that when he makes his address. I think I have said all that I care to say at this time. I believe we ought to have an opportunity to vote on the merits of this proposition and not suppress it by voting against the motion to suspend the rules.

Mr. SMOOT. Mr. President, I have never voted to suspend the rules for the purpose of placing legislation upon an appropriation bill. Since I have been a Member of the Senate I have refused to do so whenever that question has been before the Senate of the United States. I have said on several occasions that the only condition under which I would vote to suspend the rules in order to put legislation on an appropriation bill would be in the case of legislation of vital interest to our country requiring immediate consideration. I see no reason, Mr. President, why I should change my position, and I make this statement so that my vote will not be misunderstood on this or any other motion made to suspend the rules. I should not vote to suspend the rules even if I were deeply interested in the subject matter, and therefore, Mr. President, under the statements I have made in the past, which position I maintain to-day, I shall vote against the suspension of the rules in this instance.

Mr. SMITH of Georgia. Mr. President, I undertook on yesterday to call attention to some of the objections to the proposition which comes from the Post Office Committee, but if I presented my views as unsatisfactorily as I find them in the Record they carried but little impression to those who heard them.

I am opposed to suspending the rules to consider this subject, because I do not think the Post Office Committee has presented us a proper mode of handling it. I believe that we ought to change the rates, at least as to quite a large part of second-class mail matter; but the rates should be increased based upon the service rendered to the various publications and the cost to the Government of that service. The difficulty about the suggestion which comes from the committee is that it provides a uniform increase of half a cent a pound the first year and then of a cent the second year, without regard to the service rendered or the cost to the Government.

As I sought to bring to the attention of the Senate on yesterday, there are two elements of cost to the Government incident to the handling of second-class mail matter. First, the handling proper; that is, the handling at the place where the mail is received, the handling incident to the collection from the boxes, the handling in the post office, the handling on the train, the handling at the office of destination, and the handling out of that office by carriers to the parties to whom the mail is directed. That is one element of the expense. The other is the cost of the haul from point to point, which the Government is called upon

to pay to the railroad companies. Until recently the Government paid the railroad companies a flat rate per pound for the haul. Now I think the rate is computed by space, but I suppose, computed by space, it is practically the same as it was by pound per mile.

The cost to the Government under the old system was a cent a pound for approximately each 200 miles hauled. I think I am right about that. I will inquire of the Senator from Florida [Mr. BRYAN] if that is not correct?

Mr. BRYAN. I am not sure. I have sent to get the figures. Mr. SMITH of Georgia. It was approximately that; it was perhaps a little over 200 miles that a pound was hauled for a cent by the railroads. Now, if the haul was the only expense to the Government for the transportation of a particular kind of second-class postal matter, then it did not cost the Government a cent until the haul had reached a distance of at least 200 miles.

There is a class of publications which the Post Office Department informs me has an average haul of 907 miles. The average newspaper published in the smaller cities—I do not mean the great metropolitan papers of New York and perhaps of Chicago and one or two other large cities, but the average haul of the average daily paper is less than 100 miles. That paper puts a burden of only half a cent on the department for the haul, even if the average haul be a hundred miles, while publications such as the Ladies' Home Journal, the Saturday Evening Post, and Colliers—so I am advised by the Post Office Department—have an average haul of 907 miles. Those are the figures given me by the department. The average cost to the department to haul them, therefore, is at least nine times as much as the average cost of the paper in Iowa, Indiana, Georgia, New Jersey, Maryland, Nebraska, or Kansas, and nine times as much cost for haul falls on the department from many publications as falls upon the department from the average daily newspapers. What I object to in the proposition of the committee is that it makes no distinction in its proposed increase of rates based upon the cost to the department of the service rendered.

Again, a large part of the service rendered to the daily papers in the States, other than the few great metropolitan papers, is nothing but haul. As a rule, the newspapers in the cities of ordinary size, and I suppose in the very large cities, have their own mailing departments in their own buildings. They employ men expert in preparing their mail, just as they do in the post office, and those experts in the office of the newspaper make up the newspaper mail. The Government has nothing to do in the post office of the place from which the newspapers start with the expense of the preparation of the newspapers for their journey. The Government furnishes the newspaper mail bags just as they are used in the post office; and expert mailing clerks, paid by the newspaper, in the offices of the newspaper, classify the papers, route the papers, and wrap them in separate packages. The newspaper proprietors do all the work preparing the newspapers for shipment, which as to ordinary mail is done in the post office.

I know, as to some papers with which I am familiar—growing out of the fact that at one time I was considerably interested in a daily paper, though I have no interest in any newspaper now—that newspaper companies, after preparing their papers for the mail and putting them, properly classified, into a mail pouch, transport them with their own machines to the train, and, as a rule, put them into the mail coach. The men in the coach simply take the pouch and throw it off at the station to which it is destined, and there again employees of the paper take the pouch and distribute the papers to their carriers—not postal carriers but newspaper carriers—who at once distribute the papers throughout the cities. I do not mean that this practice is universal among newspapers. I know this practice prevails on some papers.

Of course, where the mail goes out on rural routes to the country, then the paper would receive from the Post Office Department the services of the rural distribution throughout the country. But as to a large part of the service rendered to the newspapers in the States such as I have mentioned, the haul is all that the Government does for the paper, and that haul does not average 100 miles, and the cost of that haul to the Government is not over half a cent, while, on the other hand, the magazines that go across the entire continent, a 3,000-mile haul, cost the Government 15 cents a pound for the haul. The newspaper with which I am illustrating costs a half cent, and the magazine with which I am illustrating costs 15 cents just for the haul.

I object to the report of the committee, because I do not think it discriminates properly between the different classes of publications, and I think it puts upon one class a burden in excess of the cost to the Government of the service rendered.

I think no system should be adopted which does not take into complete recognition the increased cost to the Government from the length of haul, and that just as in the parcel-post service we have zones of charges, so in this second-class postal service, where weight is a great element of the expense to the Government, and where length of haul fixes the cost of the haul, the length of the haul should be fully considered in connection with the charge by the Government. There ought to be, perhaps, a zone of 50 miles with a certain charge, and another zone of 200 miles; but a zone system, with increasing charges for increasing distance, is the only fair plan, the only equitable plan, by which to fix these charges. I am in favor of increasing them where the Government has had a loss, but I am not in favor of increasing them where the Government has not had a loss.

I desire, Mr. President, to send to the desk as a part of my remarks a telegram from the Christian Herald of New York, a telegram from the managing director of the Agricultural Publishers' Association of Chicago, and I will read a telegram received from Chattanooga, Tenn.:

CHATTANOOGA, TENN., February 12, 1917.

HON. HOKE SMITH,
Washington, D. C.:

Executive committee of Southern Newspaper Publishers' Association in session here to-day begs to bring before you fact that newspapers already have had great burdens placed on them by enormous increase in cost of white paper and in all other expenses of publication. Hundreds have been forced out of business, and others probably will be if additional burdens are imposed. We protest against proposed increase of pound postage under bill reported by Post Office Committee in Senate. Subscriptions paid for largely in advance and with no anticipation of such an increase in postage. If advance is found absolutely necessary on second-class postage, we believe zone system to be fairer and will not impose such unjust burdens.

Robt. S. Jones, president the Citizen, Asheville, N. C.; F. G. Bell, first vice president of the News, Savannah, Ga.; D. D. Moore, second vice president the Times-Picayune, New Orleans, La.; Walter C. Jones, secretary-treasurer the News, Chattanooga, Tenn.; Victor Hanson, Birmingham (Ala.) News; E. M. Foster, Nashville (Tenn.) Banner; C. B. Johnson, Knoxville (Tenn.) Sentinel; Jas. H. Allison, Nashville (Tenn.) Tennessean; A. F. Sanford, Knoxville (Tenn.) Journal and Tribune; G. J. Palmer, Houston (Tex.) Post; W. T. Anderson, Macon (Ga.) Telegraph; W. A. Elliott, Jacksonville (Fla.) Times-Union; Robt. Latham, Charleston (S. C.) News and Courier; Elmer Clark, Little Rock (Ark.) Democrat; W. E. Thomas, Roanoke (Va.) Times; W. B. Sullivan, Charlotte (N. C.) Observer.

The PRESIDING OFFICER. What does the Senator wish done with the telegrams he sent to the desk?

Mr. SMITH of Georgia. I wish them printed as part of my remarks. I do not care to stop to have them read.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The telegrams are as follows:

NEW YORK, February 12, 1917.

HOKE SMITH,
Washington, D. C.:

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate, it will be impossible for them to survive.

THE CHRISTIAN HERALD.

CHICAGO, ILL., February 11, 1917.

HOKE SMITH,
United States Senator, Washington, D. C.:

We represent over 7,000,000 farmer subscribers to high-grade farm papers, and in their behalf and in behalf of our already overburdened publishers, we vigorously oppose any disturbance of existing postal rates for second-class matter at this time. No one is now qualified to foretell the future. Wait until conditions are normal, then reorganize entire system. Give us a chance to be heard. Change now would work great hardship to all and ruin to many, and would not bring a gain to the Government.

FRANK B. WHITE,
Managing Director, Agricultural Publishers' Association.

Mr. SMITH of Georgia. Mr. President, Senators have said that they could not be driven into opposition to this increased rate. I hope no Senator could be driven against his judgment into any vote. I hope every Senator exercises his own judgment, is guided by it, and follows it.

It is because, as a matter of fact, I believe the increased rate unjust to a certain class of publishers I am opposed to it. It is because I believe that if the recommendation of the committee be adopted we will place upon some publishers a charge in excess of the cost to the Government of carrying their publications, and upon others we will place an increase that does not approximately reach the charge to the Government of carrying their publications, that I am opposed to it.

I think the plan is not equitable; that it is not fixed to meet the facts; and it is the facts with reference to the mode in which these varying publications place a charge upon the Post

Office Department that I bring to the attention of the Senate and urge as a reason why this uniform increase does not meet the needs of the situation.

I believe we should undertake to bring this second-class postal matter to rates that will substantially make each publication bear the charge which the distribution of its matter places upon the Post Office Department; but certainly we ought not to load down those who are now paying for all the Government does for them to meet the excessive contribution by the Government to others that do not approximately pay the expense they place upon the Post Office Department.

Mr. CURTIS. Mr. President, I shall detain the Senate only a minute. I have received a large number of telegrams and letters opposing an increase in the postage on second-class matter. I have not submitted them for printing in the RECORD because other letters and telegrams of like character have been printed, and I thought it was unnecessary.

Personally I am opposed to the increase of postage on second-class matter. I mean by that the proposed amendment as it now stands. I think second-class matter should be classified, and that newspapers, religious, fraternal, and other magazines composed largely of reading matter should be placed in one class and that magazines that are issued largely for advertising purposes should be placed in another class and should pay a larger rate of postage. If an amendment of that kind were prepared by the committee I would gladly support it. I am in favor of reducing the postage on drop letters to 1 cent. I think that should be done, and if I had a chance to vote upon that amendment separately I should vote in favor of it.

Before I close I desire to read a telegram which I have received, stating that the Kansas Editorial Association, at the annual meeting held at Topeka, Kans., on January 27, which was the largest meeting of editors ever held in the State, adopted by unanimous vote resolutions opposing the increase in rates. Of course the reasons for their objecting to the increase in rates have been stated here time and time again, and they object to it at this time especially because of the increased cost of print paper. There is not a Member on this floor but who knows that many of the smaller papers are having a hard time to get along because of the increase in the price of print paper.

I am going to oppose the motion of the Senator from Florida to suspend the rules, because I believe it is unwise to suspend the rules to put general legislation upon an appropriation bill.

Mr. SHEPPARD. Mr. President, I am in favor of 1-cent letter postage as an independent proposition. I am not in favor of it, however, at the expense of religious, agricultural, and fraternal publications, many of which have a Nation-wide circulation and afford the masses of the people the only opportunity they possess of keeping in touch with national affairs, and many of which are circulated almost, some entirely, at cost.

It may well be that the rates on certain forms of second-class matter should be increased. I am not in favor, however, of making the decrease in the rates on first-class matter dependent on an indiscriminate increase of the rates on second-class matter. I think it unfair to the great movement for a decrease in rates on first-class matter for 1-cent letter postage to make it dependent on and to tie it up with a proposition for a general increase on all forms of second-class mail matter.

Mr. FERNALD. Mr. President, I had hoped that I might remain in my seat the entire session. It was not my intention to rise to discuss any proposition that might come before the Senate during the session. But when a hardship is about to be inflicted on any industry or enterprise in my State, I feel it a duty to rise and oppose the proposition.

I am opposed to the suspension of the rules in this case. I have listened with a great deal of interest to the remarks pro and con on this question. I happen to come from one of the rural communities which have been mentioned by some of the Senators on the floor. I know something about the post-office regulations in those communities of farmers; and I realize, as every Senator here does, that since we increased the post-office service by rural carriers, to every farmer comes the daily paper every morning, as sure as the sun is to rise. I assume that the founders of this Republic never intended to make the Post Office Department a money-making proposition. There are other departments connected with this Government that are not money-making propositions, but I can conceive of none which gives such tremendous facilities to all the people of the entire country as those offered by the Post Office Department.

I think I know something about the rates connected with this department. The Senator from Georgia [Mr. SMITH] only yesterday, and again to-day, told you of the rates that are charged by the great railroad and transportation companies of this country, and I know that the figures presented and offered by

the commission must be tremendously misleading. As a matter of fact, those figures were made up or reckoned by the pound of postal matter carried. Now, every Senator here knows that every star route in this whole country is not leased or let out by the pound, but it is so much per trip, and the man must go whether he carries any second class matter or not.

Now, what happens to the rural post offices? In the first place, the fourth-class postmaster gets his revenue from the cancellation both of the first and the second class matter. The Government does not have any extra expense incurred upon it by that postmaster. The only charge is in the carriage; and, Senators, the man gets his pay for the carriage whether he carries any postal matter of the second or third class or not. He is obliged to make his trip. He is paid so much per trip for going and carrying whatever mail there may be. So in that instance the Government has no extra charge; and I am very much in doubt about these figures that it costs the Government \$88,000,000 for second-class matter. They have been proposed because of a pound rate, so termed. Now, suppose that from a small rural community there were sent eight letters weighing altogether a pound, or 2 ounces each, and in that same mail there were 19 pounds of second-class matter. The carrier would get \$3 for his trip of 20 pounds. According to that proposition, the Government would be charged up with \$2.84 for the 19 pounds of second-class matter as against 16 cents for the first-class matter. It is an unfair and absurd proposition, so indiscriminating that I consider it exceedingly unjust.

The Senator from Georgia has told you in the Senate of the expense of the carriage per hundred miles. Now, Senators, if a package were to be sent by express 600 miles the charge would be less than 2½ cents per pound. These papers are put up in bundles, as you have heard so often here this afternoon. They are sent without any extra charge by the postmaster; they are delivered to the train; and from the train delivered at its destination to the carrier without any charge to the Government, so far as postmasters' charges may be concerned.

Why, Senators, if you wish to build up the greatest monopoly that was ever known in this country, vote for this proposal, because we are all going to read. The fact that a few small daily papers which disseminate knowledge to all the rural communities in this country are put out of existence will not stop us from reading. It is a matter of which we are all exceedingly proud that every farmer in the rural community may read his morning daily paper. It has its great moral, political, and religious influence upon this country of ours; and I believe the founders of this Republic intended that the dissemination of knowledge should be made so cheap and so low that everybody could have his magazine and morning paper.

I am willing to admit that it is quite necessary to have a difference between daily papers and magazines which go for many miles. I am ready to admit that there ought to be a difference; but I am not willing to suspend the rules to bring this matter, in such a crude form, before the Senate.

As I say, Senators, it has been the judgment of the people in the past few years that we ought to avoid building up monopolies; but if you put the small papers out of business—which you are sure to do under this proposal—you will build up great newspapers in this country that will have a monopoly of the entire field. Instead of having the hundreds of daily papers which may be sent to the farmers and rural communities around home, you will have a few large papers; and after the field is cleared the 2-cent papers will be made 5 cents, and then you will have built up here just what we are all trying to avoid.

I am opposed to this proposition, and I shall vote against suspending the rules.

Mr. CUMMINS. Mr. President, I have been disposed to favor the motion made by the Senator from Florida [Mr. BRYAN]; but I do not intend to vote for it because I accept the report of the department with regard to the cost of performing the service with respect to the second-class mail matter. I intend to vote for it because I think that an appropriation bill is the proper place to legislate upon this subject; for if we do not readjust our system upon an appropriation bill the chances are that we never will readjust it, in view of the constant pressure we observe in Congress. I do not vote for it because I am at all satisfied with the readjustment proposed by the committee. I think it is inadequate. I think it is based upon misinformation and does not place the burden where it should be placed.

I do not believe in the theory that each class of the mail should be compelled to sustain its own cost, for there are a great many other considerations which enter into the service rendered by the Government in the distribution of the mail.

When the Senator from Florida alleges that the Government lost last year \$85,000,000 or something like that in the transmission of second-class mail matter, I know that he does it upon the estimate of the department; but he has only to examine that estimate in its details to know that it is founded upon a theory that no reasonable man can accept. I dwell on that particular subject for a moment because if this motion be adopted I intend to contribute what little I can toward a fair and reasonable readjustment of the various classes of our mail matter.

This matter has been investigated a great many times, and I beg to state how, as I am informed, the conclusion stated by the Senator from Florida is reached. In the first place the department—and I am not speaking of this particular administration, because the same error was made in even a more exaggerated form by a prior administration—the department endeavors to ascertain what the Government pays the railways of the country for the carrying of mail. These payments are made, as everybody understands, according to weight, with a very slight modification. Possibly 10 per cent or 5 per cent of the entire payment is determined by either space or in some other way than by weight, but practically speaking the Government pays the carriers of the country according to the weight of the mail without any regard to the service performed by the railway companies or the cost to the railway companies for a particular class of the service. In that way it ascertains the cost per pound, so far as the railway compensation is concerned, and charges up each pound of mail matter carried according to that computation. There then remains what might be called the overhead cost, the cost of maintaining the Post Office Department in Washington, the cost of conducting all the post offices of the country, the railway-mail clerks, the rural-route carriers, and all other expenses incident to the conduct of the department.

I have not examined the particular estimate made recently upon this subject, but formerly at least this entire cost was then divided among all the pounds of mail carried throughout the year, and, with some allowances which were obviously demanded on account of the peculiar service rendered in the letter department, the cost of handling a pound of mail is the result. The number of pounds carried in the second-class service is known, and thus is determined the entire cost of that service.

Just to show how uncertain the department has been in that respect I read a brief extract from a report made by a Joint Committee on Postage on Second-Class Mail Matter and Compensation for the Transportation of Mail, which was made a public document August 31, 1914. This committee was a joint committee of which I think originally Senator Bourne, of Oregon, was the chairman. After examining a great many subjects pertaining to railway pay I find in Chapter XI this statement:

While we regret to criticize any branch of the Government—

He was not speaking expressly of the present administration; he was speaking of a former administration, and therefore I can use it without any charge of political prejudice.

Mr. BRYAN. Does not the Senator from Iowa think there is a little irony in the statement he has just read, of which the author was Senator Bourne, that he regretted to criticize the department?

Mr. CUMMINS. I know the former Senator from Oregon very well and I have never thought that he was addicted to irony. He always seemed to me to be very direct and earnest in all his statements. I read again:

While we regret to criticize any branch of the Government and it is unpleasant to believe that public business affairs are carelessly conducted, yet we believe that the country and Congress are entitled to know the facts. We would hesitate to discuss this subject, if our own experience were unique—

I may say that this part of the report receives the approval of all the members of the committee, as I understand it.

Mr. BRYAN. No; if the Senator will look he will see that several members agreed only to a certain part of the report.

Mr. CUMMINS. I think a majority of the committee joined in this part of the report:

We would hesitate to discuss this subject, if our own experience were unique, but in the course of our work we have learned that other commissions which have studied postal problems have had similar experiences and that the formation of satisfactory conclusions by them was made difficult or impossible by the unreliability and inadequacy of statistics furnished by the Post Office Department regarding its own activities.

As already stated herein, the subject of railway mail pay was studied by a congressional commission from 1898 to 1901. While the result of that commission's work was under consideration in the House, Congressman Moody, of Massachusetts, afterwards Justice of the United States Supreme Court, declared in an address in the House of Representatives that during hearings before the commission the Post Office Department submitted statistics showing that the railroads were paid on an average 6.58 cents per pound for transporting mail, averaging 40 cents per ton-mile, with an average haul of 328 miles, whereas a special weighing demonstrated that the average payment was, in fact,

2.75 cents per pound, averaging only 12.56 cents per ton-mile, with an average haul of 438 miles. Commenting upon these statistics, Congressman Moody said:

"In other words, we were not paying one-third as much as the Post Office Department had led the people of the country to believe we had been paying."

Very similar was the experience of a commission appointed in 1911 to investigate the subject of postage on second-class mail matter, of which commission Justice Hughes, of the Supreme Court, was chairman. Repeatedly the statistics submitted by the Post Office Department were shown to be erroneous, and the department changed its figures when compelled to do so by the demonstration of their inaccuracy. So numerous and so glaring were the errors that the commission commented upon some of them as follows:

"It seems hardly worth while to include subsidiary tables from which these results are taken or to criticize the details, as the commission has little confidence in their accuracy."

The Hughes Commission also said in its report, in commenting upon the effort of the Post Office Department to present statistics showing a proper apportionment of general post-office expenses to the different classes of mail:

"In view of the errors and inconsistencies in which the returns of the post offices abound (we do not extend this report to review them), our examination has convinced us that the computation is not sufficiently accurate to base an apportionment of the cost of the general post-office service."

I read this extract from the report which I have named, not so much to criticize the department as to furnish a basis for the statement which I make without any fear of successful contradiction. It is utterly impossible for the Post Office Department to determine how much it costs to transact the business relating to any particular class of the mail. The very best that can be done is to make an estimate with regard to each part. I have no doubt the estimates are made in good faith, but in my judgment—and I have given some study to the subject at a former time, indeed, not now—the estimate with regard to the second-class mail matter generally is exaggerated, and when it is applied to particular classes of second-class mail matter it is absolutely unfounded and necessarily misleading.

I would not comment upon this at this time and upon this motion were it not for the fact that I intend to vote for the motion, and I want it distinctly understood that when we enter upon the work of readjusting the postage upon letters and upon second-class mail it is a serious undertaking and will require a great deal of time and much consideration if we do it justly and intelligently. I do not believe in reducing letter postage to 1 cent unless all letter postage is reduced. If I must choose between drop letters and general letters, I am in favor of reducing the postage upon general letters instead of drop letters, for those who are least able to bear the burden will receive an advantage in the reduction of postage generally far more than in a reduction in drop letters. Everybody knows with regard to drop letters that those who will be principally benefited are the large business institutions, the banks, the great factories, and other institutions of that kind which deposit regularly in the mails vast number of letters for distribution either in the city in which such an institution may be located or in the immediate vicinity.

Mr. BRYAN rose.

Mr. CUMMINS. Does the Senator from Florida desire to interrupt me?

Mr. BRYAN. I merely wished to ask the Senator a question before he got too far away from the discussion of the estimate of the department. The department states that the receipts from second-class mail matter amounted to eleven million three hundred and some odd thousand dollars. The Senator does not question that statement. The department can easily ascertain that.

Mr. CUMMINS. I would think that could be easily ascertained.

Mr. BRYAN. That could be easily ascertained, of course. Now, the Senator has not any doubt, whether the estimated loss is \$80,000,000 or not, it is a great sum, amounting to much more than the receipts?

Mr. CUMMINS. I was about to say that. Leaving for the moment the question of reduction in postage on letters, and I have said all I desire to say upon that, notwithstanding the inaccuracy and unreliability of the estimate with regard to the cost of performing the service relating to second-class mail, I have no doubt that we are performing this service for much less than we are receiving for it.

Mr. BRYAN. The Senator from Georgia [Mr. SMITH] stated that it cost 1 cent to carry 1 pound of second-class mail matter 200 miles, and that it cost that before certain increases on account of the parcel post were allowed by the department. It is more than 1 cent now. It is a small fraction, it is true, but that small fraction when applied to tons makes a considerable difference. The fraction given—I think it was figured out; in fact, I am sure it was—was thirty-two one-thousandths. If the Government only got the \$20, as it would under the 1-cent rate, it would lose 64 cents on every ton, and when carried into the enor-

mous amounts of second-class mail we would find even that small fraction of a cent would amount to many millions of dollars.

Mr. CUMMINS. Mr. President, I do not dispute at all the correctness of the figures just given by the Senator from Florida.

Mr. BRYAN. Just one word further. If the Senator from Georgia is correct, he showed that for the transportation alone there would be a large deficit. The transportation of railroad freight is not the whole of this cost by any means. It is a small part of it.

Mr. CUMMINS. But, answering the statement just made by the Senator from Florida, I beg that he will remember that the cost of transportation to which he refers contemplates a haul of 200 miles, very much beyond the average haul of newspapers.

Mr. BRYAN. The Senator referred to the report of the Bourne Commission. I think it was a very able commission and it made a very able report. The report of that commission referred to the report of the Hughes Commission. The Hughes Commission states that the average distance the daily newspapers are carried throughout the country—of course, speaking of them altogether—is more than 200 miles.

Mr. CUMMINS. I do not so understand the report of the Hughes Commission.

Mr. BRYAN. I do.

Mr. CUMMINS. If the Hughes Commission did so state, it adopted an erroneous plan for the computation of averages. It did not include the number of papers distributed, I am sure, because that would be contrary to the observation of every Senator.

Mr. BRYAN. I was surprised that it was so great a mileage, but I have no reason to question the report prepared by men admittedly of the character of the gentlemen composing the commission.

Mr. CUMMINS. I am not able to refer to the part of the Hughes Commission report that deals with that matter. It is before me, but it would require more than the report of the commission to convince me that the average transportation of the daily newspapers of this country was as great as 200 miles.

But, Mr. President, that possibly would be better dealt with at a little later time. I agree with the Senator from Florida that the whole subject of second-class matter ought to be now dealt with, and he is proposing that it shall be now dealt with. I do not agree with him, first, that all kinds of second-class matter should be made self-sustaining, for I think there is a great public consideration that must determine in some degree the postage that should be charged for the service. I think there ought to be at least five different classes in the matter now embraced in second-class matter, and we can not deal with the subject justly unless we do divide it into something like five separate classes.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. VARDAMAN. If the motion to suspend the rules should prevail, I hope the Senator will present his ideas in the form of an amendment and give us an opportunity to correct the defect which he has outlined. I think it is a matter that ought to be thoroughly and exhaustively discussed. Now is the time, as the Senator says, to settle it.

Mr. CUMMINS. I think so, and for that reason I intend to vote for the motion. I have no doubt it will require several days to settle this matter as it should be settled, but that makes no difference. We ought to settle it, and I think we might as well settle it now as at any other time.

The first division of the second-class matter should be the county newspapers. I understand that it is not proposed to change the law with regard to them. Why, Mr. President, are the county newspapers, with their circulation within the county, relieved of all burden of postage? I want Senators to ask themselves that question. It will be easily answered. We have relieved them from all the burden relative to the distribution of the mail, because we believe their existence is essential to the welfare of the people of the various communities of the country. Have you any reason to doubt it? Is there any Senator here who desires to change the policy of the country with regard to them? Yet in the language of my friends from Mississippi and from Florida we are subsidizing the county newspaper every year by contributing for the distribution of their papers a large sum of money, how much no one knows. I for one believe that the public welfare can not be better promoted than by continuing this policy.

We pass to the divisions, and these ought to be distinct classes, not all grouped as second-class matter. The second-class is, of course, the daily newspapers, which are usually published in the larger cities, but there is not a single con-

sideration which has led us to give county newspapers free circulation that does not apply in some degree to the daily newspaper. We have never intended that they should pay the entire cost of that service. Why? Because they are doing a part of the work which the Government is bound to do. It is rather difficult to tell just how much of the work, but they are doing just the same sort of work that the instructors whom we send out from the Agricultural Department and from the Department of Commerce, the educators in every field, and whose compensation and expenses we pay. They are doing in part that work; they are the allies of good government; and without them it would be utterly impossible for us to sustain our Government for a half decade. Therefore this consideration ought to be taken into account when we determine the postage which they should pay in order to secure the widest circulation.

Nor is it any answer that they occasionally circulate a falsehood, that they occasionally misrepresent what takes place here or what takes place elsewhere. There are some men in the newspaper fraternity who may be utterly unworthy, but that does not impeach the general standing of the newspapers or the general value of the work which they are performing. That is the second class.

Now, the third division, and it is a distinct class, are what might be called the publications of societies and organizations which have been brought together for mutual help, mutual advantage, mutual upbuilding, the fraternal orders, and all such associations of men and women who are doing a purely altruistic work, who have no hope of profit. Their publications ought to be distributed by the Government for less than it costs the Government to distribute them. They are also doing a work without which the Government would find it difficult to pursue the even and peaceful tenor of its way.

The fourth division would be composed of the periodicals and the magazines which are of real value, which are filled with real instruction, in which literature of real merit can be discovered even though they are published with the hope and with the expectation of profit. That is the fourth class; and I think it ought to bear the expense incident to the circulation or the distribution of their material, although it be very worthy material.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield.

Mr. CLAPP. Ought there not be and might there not be made a still other line of distinction in the latter class the Senator has referred to, between those which contribute to information. Take, for instance, the agricultural journals. They are putting out the same kind of information we are putting out through the publications of the Department of Agriculture. It seems to me that there ought to be, under the analysis the Senator has made, at least five classes instead of four.

Mr. CUMMINS. I am coming to another class.

Mr. CLAPP. Is it within those fields?

Mr. CUMMINS. The class I have in mind will not embrace the suggestion of the Senator.

Mr. CLAPP. That is what I was getting at. Among those classes which appeal for special consideration it strikes me that, as to the fourth class enumerated by the Senator, an effort should be made to divide that into two classes.

Mr. CUMMINS. That may be possible, Mr. President, and the suggestion is well worthy of thought, but I had believed that with regard to these publications, worthy as they are, the fact that they were being published for profit might require them to pay to the Government the cost of distribution.

Mark you, I am not suggesting that there shall be put on that class the deficit, if there be one, created by carrying the other classes at less than the cost of carrying them.

The fifth division, and it ought to pay a very high rate, if it ought to go as second-class mail matter at all—which I very greatly doubt—comprises those publications which are issued chiefly for advertising, their main purpose being to advertise the industries of the country or the commodities of the country, and the reading matter being entirely secondary and usually entirely worthless as well.

Mr. CLAPP. And often worse than worthless.

Mr. CUMMINS. And, as the Senator from Minnesota suggests, oftentimes not only valueless but vicious. Those are the classes into which we should divide second-class mail matter, in my judgment.

I have taken this opportunity to mention the subject at some length because, if the motion is sustained, as I hope it will be, then the Senate will gather itself together for a serious and responsible work and will undertake to revise our postal regulations upon second-class mail matter so that justice will be

done not only as between second-class mail matter and first-class mail matter; but as between the various natural classifications of second-class mail matter.

The Senator from Florida has been upon the Post Office Committee for a good while; there is not a man in the Senate who has more information upon the subject than has he. That committee has been inundated with evidence and testimony and showings, and a great many plans have been put before it, as I know, and the Senator is probably already equipped to lay before the Senate some one of these plans which will meet his real opinion concerning this division which we are now asked to make. So I hope, if the subject is opened up, that he will give us the benefit of the conclusions which he has formed through a long and valuable service to the Senate and to the Committee on Post Offices and Post Roads.

Mr. BRYAN obtained the floor.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Arkansas?

Mr. BRYAN. I yield.

Mr. ROBINSON. I shall vote for the motion to suspend the rules in order that the Senate may have an opportunity of readjusting the rates on both first-class and second-class mail matter. I think it is impossible to determine exactly the cost of carrying second-class mail matter; but it has been admitted in the course of this debate that the Government is losing a large sum by reason of its carriage of the second-class mails at the present rate. It is also making a great profit out of the first-class mail. No one advocates imposing upon second-class mail all the expense incident to its carriage, but it does seem to me that if a readjustment can be made without great difficulty, it will meet the approval of all fair-minded people and will do no injustice to anyone.

It is absurd, it seems to me, Mr. President, to say that merely because this question has long been a mooted one we should not deal with it. During the last 15 years at almost every session of Congress which I have attended this question, in one form or another, has arisen, and it will continue to arise until Congress takes some action which the public believes to be founded upon good conscience and fairness.

It does seem to me that a distinction should be made between newspapers and some other kinds of second-class mail matter. I do not believe that the amendment proposed by the committee is acceptable in its present form; but if the question is opened—and it can only be done by carrying the motion to suspend the rules—I hope that the Senate may be able to apply itself to the subject with an intelligence and diligence which will promptly produce a provision which will be satisfactory to fair-minded people.

Mr. CHILTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from West Virginia?

Mr. BRYAN. I yield to the Senator.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. CHILTON. I desire to speak only for a moment, Mr. President. I see by the calendar of the business of this body that there are 16 appropriation bills to be dealt with during this session. Of that number this body has acted upon 7, leaving 9 that have not yet been passed, 1 of them being now under consideration, and 8 of them having received no consideration whatever. In addition to that, we have what is known as the revenue bill, which was reported to the Senate to-day. We also have notice from Members of this body that that bill is to be discussed somewhat at length.

We have, in addition, the bills which are known as the preparedness bills, of which the Senator from North Carolina [Mr. OVERMAN] has charge, that are to be more or less debated in this body. We have an Executive Calendar which now does not reach merely into the scores, but into the hundreds, of names, a matter as to which I do not want to speak in open session further than to state that one fact.

We have in all, after to-day, but 19 days until this session shall close. There are 3 Sundays which will intervene, leaving but 16 working days. There are at least parts of two days which have already been set apart, under custom of the Senate, to memorial services in honor of departed Members of one or the other body.

Mr. GALLINGER. Mr. President, the Senator from West Virginia omitted to mention one other bill, which will doubtless excite a good deal of debate, and that is the river and harbor bill.

Mr. CHILTON. That was included in the 16 appropriation bills to which I referred.

The PRESIDING OFFICER. And there is also the Porto Rican bill.

Mr. CHILTON. And the Chair reminds me—for which I thank him—that there is the Porto Rican bill. Each one of these bills has in it a good-sized fight and debate.

Mr. President, the pending subject has been debated enough on this floor to convince all of us that it is of such importance to the country that to consider it from any standpoint will of necessity require extensive debate. It is necessary, in order that all of us may explain our votes as to each feature of the matter, that it should consume much time. It is apparent to all of us, from what has been said, especially by the distinguished Senator from Iowa [Mr. CUMMINS], that this is a most important subject, and that we ought not approach it without that kind of information which, in my judgment, the Senate should have to dispose of so far-reaching a subject.

For these reasons, Mr. President, I intend to vote against the motion to suspend the rule, and to oppose it in every way I can. I do not believe that we have the time or that we have the information to decide the matter now. I think possibly there is some readjustment in the second-class mail matter that ought to be made, but I certainly do not want to do it without the fullest investigation and without complete data before us.

I desire to say beforehand that, if we do get into a debate upon this matter, upon everything as to which I have any doubt I shall vote to leave it as it is. I know that the present rate upon fourth-class mail matter is of great good to a large number of people, and I am not going to take the chances of breaking up or injuring some people and of withholding from many people of this country information which they ought to have unless I am sure that, in doing so, it is required by justice to the Government and to the service, and after a full and careful investigation of every fact which ought to enter into the consideration of the subject.

I think it is absolutely useless for us to try to go into another great, big subject like this with practically only about 14 working days left, 2 of which have practically been preempted. Practically speaking, we have but a dozen days to do the entire business of this session, and we know that is not sufficient. For these reasons I intend to vigorously oppose the motion.

Mr. BRYAN. Mr. President, "and they all with one consent began to make excuse." Senators are in favor of changing the present rates upon second-class mail matter, but this is not the opportune time to do it. The opportune time has never yet come to rectify this great wrong that has been perpetrated upon the American people for so many years. There are \$88,000,000 of loss; we all want to correct that, but this is not the time to do so; there is another way, that is a better way, to do it. But let us do something with it. Here is the situation confronting us: Some Senators speak as if this question had never presented itself to the committee or to the Senate until this session of Congress, and yet it has been a mooted question for a score of years.

A commission was created during President Taft's administration to study the rates upon second-class mail matter and to make recommendations to Congress. The members of that commission were Hon. Charles E. Hughes, associate justice of the Supreme Court of the United States; President A. Lawrence Lowell, of Harvard University; and Mr. Harry A. Wheeler, president of the Association of Commerce of the city of Chicago. They investigated this whole subject. Some Senators can come in here to-day, without having studied the question an hour, and assert with great positiveness that this is crude legislation; that it has never been given consideration; that the statements of a commission appointed by the President in pursuance of an act of Congress were all wrong. But, Mr. President, if you examine the recommendations of the commission, if you examine the report, if you undertake to find out what they did, you will ascertain that it was a report drawn after very thorough and very careful consideration, and that before them appeared representatives of the Post Office Department and representatives of the newspapers and periodicals of this country enjoying the second-class mail privilege. That commission, after full and final hearing, made this recommendation:

- (1) The rate of 2 cents a pound on copies mailed by publishers to subscribers, to news agents, and as sample copies, and by news agents to their subscribers or to other news agents.
- (2) The rate of 1 cent for each 4 ounces for copies mailed by other than publishers and news agents; that is, the present transient rate.
- (3) The present free-in-county privilege retained, but not extended.

Mr. VARDAMAN. Mr. President, I will ask the Senator to state again who made that report.

Mr. BRYAN. The Hughes Commission.

Mr. CHILTON. If the Senator will pardon me, what Hughes was that?

Mr. BRYAN. Charles E. Hughes—Judge Hughes.

Mr. CHILTON. The Senator has described this as being a mooted question. This is not the first mooted question that has come from that source, and I think it will be a mooted question unless we debate it for three or four weeks longer.

Mr. GALLINGER. I think perhaps the Senator from Florida had better read the names of those who were associated with Justice Hughes. If the Senator from West Virginia does not think Justice Hughes should count, let us see who the others were who composed that commission. They were very distinguished men.

Mr. BRYAN. I read the names once, and will do so again. The commission was composed of Hon. Charles E. Hughes, Associate Justice of the Supreme Court of the United States; President A. Lawrence Lowell, of Harvard University; and Mr. Harry A. Wheeler, president of the Association of Commerce of the City of Chicago.

Mr. THOMAS. Mr. President, I desire to say that the report of Mr. Justice Hughes upon a question of that sort would have almost controlling weight with me, if there was no one associated with him.

Mr. CHILTON. Mr. President, I want to hasten to say that I was not meaning to reflect upon Mr. Justice Hughes by anything that I said. If the Senator from Florida will pardon me, I called his attention to the fact that he said that this has been a mooted question for a long time, and I was simply joking as to the conditions during the last campaign and the result of it, and meant to impress upon the Senate the idea that we certainly have not time to dispose of something that has been a mooted question for a long time. That was all. I have great respect for Justice Hughes, however much I may have opposed his political opinions or may dissent from some of his judicial opinions. I am rather disappointed that anyone took seriously what seemed to me as pardonable pleasantry during a protracted discussion; and I insist that if this be a mooted question now there is not time to debate it into a state of certainty.

Mr. BRYAN. Mr. President, that is, as I have said, an excuse that has always been made. If you want information, however, it has been provided; if you want to take action, here is the information that has lain upon the desks of Senators for five years; if you want to allow this subsidy to continue, then almost any excuse will do. I want to put in the Record right here from this report what newspapers pay and what magazines pay in this country. The people of this country do not know the facts. I tell you, Mr. President, that this question will be settled, because when the people know, when the man who writes a letter knows that he pays 32 times as much for his letter as newspaper publishers pay for the circulation of their newspapers, when he understands that out of the funds placed in the Treasury of this Republic the people who write and pay the first-class mail rates contribute over two hundred and a quarter million dollars and out of that nearly \$100,000,000 go back into the pockets of the newspaper and magazine publishers, they will insist that this question be settled.

Now, let us see what are the privileges of second-class matter:

(1) The general rate of 1 cent a pound on copies mailed by publishers to subscribers, to news agents, and as sample copies, and by news agents to their subscribers or to other news agents.

(2) The free-of-postage privilege for copies mailed to subscribers residing in the county where the publications are printed and published, when not addressed for delivery from a city letter-carrier office.

Do these letter writers know that it does not cost a periodical publisher a solitary cent to circulate his publication in the county of its publication? I heard a Senator make a remark yesterday afternoon in this Chamber that shows he did not know it; but that is a fact, and it is a fact that ought to be known.

(3) The cent-a-pound rate on copies mailed for delivery by rural carriers on routes emanating from a city letter-carrier office.

They have the privilege now that is being asked for on behalf of first-class mail matter. They enjoy a privilege at the expense of this Government which the committee has asked the Senate to grant to the people who supply the surplus to take care of the deficit.

(4) The cent-a-pound rate on weekly publications mailed at a city letter-carrier office for local delivery.

(5) The cent-a-copy rate for newspapers other than weeklies, and for periodicals not exceeding two ounces in weight, when mailed at a city letter-carrier office for local delivery by carriers.

(6) The rate of 2 cents a copy for periodicals exceeding 2 ounces in weight when mailed at a city letter-carrier office for local delivery by carriers.

(7) The rate of 1 cent for each 4 ounces for copies mailed by others than publishers and news agents.

One man pays thirty-two times as much as the other. Two cents will take an ounce of first-class mail matter; 2 cents will take 2 pounds of second-class mail matter.

Mr. President, the Hughes Commission investigated the subject of the cost of the Railway Mail Service in the handling of second-class mail matter. The Post Office Department contended that 26.02 per cent of the total cost was on account of the second-class mail matter. They investigated the rural delivery, and I believe it was conceded that 45.88 per cent of the cost should be charged to second-class mail matter. They investigated the general post-office service. The Post Office Department claimed that 26.86 per cent of the cost was due to the general service. The Hughes Commission said that they could not arrive at that conclusion, but, Mr. President, the Post Office Department have gentlemen who have spent many years making these investigations and calculations. I admit that it seems to me it would be a very difficult thing to pro rate to a nicety the part that should be charged to second-class mail matter. There is no difficulty, however, in determining that the receipts from second-class mail matter last year amounted to \$11,383,000.

It will be noticed that the Hughes Commission did not recommend a rate less than 2 cents upon any sort of newspapers or magazines except in county of origin. It will be further noticed that even that rate will not pay to the Government the expense for any of them.

There is much in what the Senator from Iowa [Mr. CUMMINS] has said, but, inasmuch as the increase here recommended will not be sufficient, will lack very much of being sufficient to pay the actual expenses to which the Government is put, it occurred to the committee that we might recommend this much, in the hope that at least that much could be completed, and settle other questions hereafter. The step, it seems to us, ought to be taken now.

The Senator from Iowa says that we ought to have many divisions; that the paper of a fraternal organization or a religious society ought not to pay as high a rate as a paper conducted for profit, and that the advertising paper ought to pay the highest rate of all, and so forth; but, Mr. President, what injustice can be done when it is conceded that all of them ought to pay at least the amount provided in this bill? If some of them ought to pay more, that can be determined hereafter, or can be determined now if the motion to suspend the rules prevails.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. BRYAN. I yield, of course, to the Senator from Minnesota.

Mr. CLAPP. Supposing that one class are required to pay 2 cents and, we will say for the sake of the argument, that would not be in excess of what that class ought to pay, and that another class ought to pay 4 cents. Now, the man who pays 2 cents, while he is not paying any more than he ought to pay, is called upon to contribute to a deficit that is occasioned by another man getting for 2 cents what he ought to pay 4 cents for; and the rule of inequitable burdens and injustice is just as plain there as it would be if a man who pays 2 cents is paying more than his share in a direct tax on postal matter. In the end he is called upon to pay something that he ought not in justice to pay in contributing for the expenses of the Government.

Mr. BRYAN. But if this amendment prevails, not a single one of them will be paying up to the cost of the service rendered.

Mr. CLAPP. No; but outside of his postage he will be called upon to contribute to expenses of the Government that ought to be borne in part by somebody else. You can not get away from the principle.

Mr. BRYAN. I want now to pay attention just for one moment to the point made by the Senator from Georgia [Mr. SMITH]. The Senator from Georgia says that it costs under the rate the Government pays for the carriage of the mails 1 cent for each 200 miles per pound; that is, it costs the Government 1 cent to carry a pound of mail matter 200 miles. Now, speaking in round numbers that is true, but speaking accurately it is 0.01032 cent. Multiply that and see what it would cost to carry a thousand pounds 200 miles. It would cost \$10.32, or to take a ton 200 miles it would cost \$20.64. The Government would receive \$20 and it would lose 64 cents on each ton each 200 miles; and when you take that into account and consider that last year there were over a billion pounds of second-class mail matter, it will be seen that as small a fraction as that can create a very large deficit without any trouble.

But, Mr. President, the Senator from Georgia spoke as if transportation was the whole of the cost, when the information from experts who have examined this subject is that the handling charge is 5 cents a pound. If the transportation charge were all, of course the Post Office Department would be mistaken in saying that there was an \$88,000,000 loss, because we do not pay that much for the transportation of the mails; and that is why I call attention to the report of the Hughes Commission, which took into consideration the other elements that enter into the cost of running this establishment.

Mr. President, I have argued as far as I care to the merits of the proposition. I think we might settle those questions when the amendment is properly before the Senate. The Senator from Nebraska [Mr. HITCHCOCK] raises the point of order. He says this is not the sort of bill upon which to have this sort of legislation placed; that it is ill-considered legislation. Well, Mr. President, the present rates were placed on Post Office appropriation bills. The Committee on Post Offices and Post Roads deals with other matters than appropriations. In fact, as is known by everybody here, its chief business is dealing with other matters than appropriation bills. It handles the annual bill, and it has been customary for that committee to place upon the bill legislation affecting the department.

The claim of altruism of several of these gentlemen does not strike me with the force that perhaps it should. The claim that this is being done in the interest of the farmer is the old story so familiar to us all, and if you can base your objection or your excuse upon that, you have something to stand upon. Mr. President, the farmer that writes his letter is contributing to this deficit. The claim that farmers get the market reports is put forward as a sufficient reason. Why, Mr. President, they pay for those papers. They pay pretty well for them. They pay for them so well that this pauper paper that sent a telegram to the Senate yesterday is making a fortune every year. They pay for it out of the charges made, and they are made by business men conducting their business upon business principles.

I have no feeling of antipathy toward the press of this country—the daily press, the weekly press, or the magazines. Some of them are excellent, some of them are fair, and some of them are bad. Neither do I claim that in all cases the rates paid by the press ought to be self-sustaining; but I do say that as a proposition considered in the aggregate, second-class mail matter ought to maintain itself. Each class ought to be self-supporting.

Mr. President, I hope that we may have a vote, and that the Senate may see fit to waive the rules and allow us to take a vote upon an amendment that is recommended by a great commission, and that has been too long delayed now. Whatever may be our views as to the proper adjustment of these rates, no man can say that this proposed rate is too high upon a single, solitary newspaper or magazine; and after it is adopted two-thirds of the cost of maintaining this service will still be borne by the tax upon first-class mail matter.

Some Senators say that they will vote for the reduction of the first-class rate, and against the raise in the second-class rate. Very well, let us have a chance to vote upon that. I would not vote to do that, because I know that if I did that I would be voting to create a deficit, and I am not willing to do that. But the Senate, when it gets the matter before it, can handle it as it sees fit. I do not think that it is proper, although it is in conformity with the rules, to deprive the Senate of a right to vote upon this matter that affects the rates charged, that affects this department. When the Postmaster General comes before us and says: "I can reduce the charge upon first-class mail matter somewhat; I think we could put it in on the drop letters and on the rural routes, but the deficit will be pretty large, and I suggest that you raise it some on second-class mail matter," that is a question that properly comes before that committee, and that ought in good conscience to be submitted to the Senate.

But if you do nothing with it, Senators, what position are you in after the 1st of July? You are in this position—that you will have a surplus of ten or twelve million dollars. It is generally conceded that the Post Office Department ought not to be conducted for the purpose of making money. Then you have \$10,000,000 or \$12,000,000 of surplus. By the time the next annual bill comes, if you postpone this matter, there will be a strong demand to distribute that money in the payment of salaries among the men employed in the Post Office Department and in the Postal Service, and yet it is a fact that they are conceded to be the highest paid men in this country. They know it. The Post Office Department knows it, and prides itself upon it. They say they have in the Postal Service men who are efficient, men who are worth the high salaries paid; but they are getting pretty high salaries now.

What are you going to do? Are you going to accumulate this \$10,000,000 of surplus? If you do, with the organizations that they have been allowed to build up—which, in my judgment, ought to be against the civil-service rules, because I think it is a dangerous power that they are creating—they will come here and say: "We made that money. Give it to us." Made it out of whom? Made it out of first-class mail matter; made it out of a branch of the service that is contributing three-fourths of the postal revenues, contributing somewhere between eighty and ninety million dollars, after paying the full cost of the service, to the people who enjoy the second-class service.

That is the situation. That is the reason why, on behalf of the committee, I made this motion in the absence of the chairman on Saturday. I trust the Senate will give it the consideration it deserves, and that we may now proceed to vote, with the understanding that if this amendment is not satisfactory to the Senate, the Senate is a self-governing body and can change it as it sees fit. But let us do something. Let us make a start toward correcting an evil that admittedly exists, that nobody undertakes to deny.

Why, the representatives of these newspapers and magazines know that this has got to come. If they could be assured to-day that Congress would not go any further than 2 cents a pound they would be glad to make that compromise. Their hope is that you will stop one-third of the way. Whether the various classes are properly made up now or not—whether there ought to be more than the first, second, third, and fourth classes—at least we ought to come to an agreement upon this proposition: That no harm can be done by making this change, because after this is done Congress will not then have provided even for a rate that more than one-third sustains itself upon the literature or the class on which it loses the smallest amount of money.

I think it is absurd to say that a publication like the one I had on my desk yesterday, weighing 5 pounds, and made up of nothing but advertising matter, should be carried at an expense per copy to this Government of 35 cents, or that any newspaper publisher in this country should have contributed by his Government to his business the enormous sum of between three and four millions of dollars.

That is the situation that Congress has to confront, and, if we can get a chance to vote upon it, I am confident that the Senate will at least make some correction. Maybe we can not go as far as we ought to go. These matters have to grow, and they can not all be settled at once; but surely we are safe when we follow the recommendations of the department, which has investigated this question for years, and when we follow the recommendations of the Hughes Commission created by Congress, and when we follow the recommendations of the President based upon the report of that commission.

Mr. ASHURST. Mr. President, before the vote is taken I wish to say a few words. I shall be brief, as I appreciate the necessity for action at the earliest moment.

No man appreciates more than I the immense amount of labor and painstaking and valuable work which the Senate Committee on Post Offices and Post Roads has accomplished; and I especially appreciate the speech of the Senator from Florida [Mr. BRYAN]. I deem it my duty to lay before the Senate some facts that have not been adverted to in detail; and I wish also, to avoid appearing to be inconsistent, to state why I expect to vote against the motion to suspend the rules.

I am in favor of the 1-cent-per-ounce drop-letter provision. Indeed, Mr. President, I have heretofore introduced a bill providing for the rate of 1 cent per ounce or fraction thereof for drop letters. But I do not wish nor do I seek the 1-cent-per-ounce feature of the law at the expense of the publications of the country, which are the people's forum.

We can not close our eyes to the fact that it has been the historic, the ancient policy of this Government to encourage, by low postal rates, the easy and sometimes the free dissemination of literature in order that we may have an informed, enlightened public opinion, because in our government public opinion controls, and nothing is worse than a misinformed or a non-informed public opinion. Hence, I say again, it is our ancient and historic policy to encourage rather than discourage the dissemination, frequently free and at all times easy, of what we call second-class mail. Moreover, Mr. President, large numbers of the publications that are going to be affected by this legislation, should it be enacted, have made their contracts upon the law as it now stands, and a radical, sudden increase in the rate of postage would have the effect of dislocating their avenues of revenue; and would have the effect, in many instances—

Mr. VARDAMAN. Mr. President, will the Senator permit me to make a suggestion just there?

Mr. ASHURST. Certainly.

Mr. VARDAMAN. If that is the Senator's only objection to this proposal, that one injustice could be avoided by simply providing that the law should take effect at some time in the future, so that the publisher could accommodate himself to the changed law.

Mr. ASHURST. That is a most valuable suggestion, which I am indebted to the Senator from Mississippi for making.

Mr. VARDAMAN. If the Senator will permit me further, if this motion prevails, all inequalities and imperfections of the character the Senator has brought out can be corrected; but we can not do it unless the Senate votes to suspend the rules.

Mr. ASHURST. I thank the Senator for his interruption, and there is force in it; but, in my judgment we can not and will not pause at this particular time, with only 14 or 15 working days ahead of us, to give adequate thought and care to this proposed plan; such plan should be carefully worked out. Small enterprises, some with very slender means, have made advertising contracts with their subscribers and with their advertisers, having in front of them the law as it now exists, and some of these advertising contracts are made to cover a period of two and three years. Hence, if a change is sought to be made, it ought to be far enough in the future as not to dislocate and practically ruin these worthy and laudable enterprises or publishing concerns which have engaged in this occupation.

I fear, should the proposed legislation be adopted, that the educational magazines, the various religious and trade publications, the scientific and the philanthropical publications, would be seriously injured by a sudden and radical raise, especially at this time, when the publishers, both large and small, and especially the small ones, are about to be driven out of business. I measure my words when I say that the publications, large and small, especially the small publications of the country, are many of them on the verge of bankruptcy for the reason that the increase in the price of print paper has been so sudden and so enormous that they can not adapt quickly themselves to the new situation which has suddenly come down upon them. So, Mr. President, I think it would be unjust now to lay upon the publishers of this country the additional burden of meeting this increased expenditure as proposed here, when we have in view the peril which confronts the small and the large publishers of this country by reason of the extortions that are being practiced upon them by the manufacturers of print paper.

Mr. President, some time ago a million circulars went out over this country stating there was a shortage in print paper. I am informed that there is and there was no shortage in print paper at all. Why? Because everybody got all the paper he wanted, if he paid the price. How can there be a shortage when everybody can have all he wants? One of the metropolitan newspapers advocated the worthy movement of gathering in certain waste paper. We were led to believe that they were going to gather that paper and manufacture print paper out of it. The truth is, the paper thus gathered in, so I am advised, can not be used for the purpose of manufacturing print paper, although it may be used to manufacture wrapping paper, and so forth.

Now, Mr. President, in order that the Senate and the country may see just the peril that is confronting the publishers of this country, both large and small, and especially the small ones, I will ask the Senate to indulge me for four or five minutes until I lay before the Senate this startling information:

The market price of print paper until the summer of 1916 was about \$40 per ton, f. o. b. the mill, to what I am going to call the big buyers, the big buyers being men who could take enormous quantities. The price to what I am going to call the small man, the man who could not take a large quantity but could take only a somewhat limited amount of print paper, was from fifty-five to sixty dollars per ton. Bear in mind, the price per ton to the large user was \$40 per ton in the summer of 1916; to the small user, fifty-five to sixty dollars per ton. Since this raise that I am going to speak of in a moment took place, the advance in the cost of the manufacture of this print paper has been only about \$3 per ton. In other words, as this time, when these prices have been so radically and so tremendously elevated, the price of producing the print paper has been increased only \$3 per ton; so that if the manufacturers sold now as they did a year ago, and took into consideration the increased cost of production, they would be selling to the large publisher at \$43 per ton and to the smaller publisher at fifty-eight and sixty-three dollars per ton, respectively.

But what is the situation now? The large publisher to-day is paying \$62 per ton. The small publisher is paying from \$85 to \$200 per ton—not less than \$85 per ton for his white print paper; and possibly, if he advocates a cause or is propagating

something that does not please the Print Paper Trust, it is \$200 per ton. And then Senators gravely sit here and consider the proposition, in the closing days of Congress, of adding to that burden an increased expenditure in the way of postal expenses.

Mr. President, by reason of this advance in print paper, the newspapers of this country for the year 1917 will pay \$60,000,000 more for print paper than they paid in 1916, assuming that they use the same amount and quantity of paper they did in 1916.

Mr. McLEAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Connecticut?

Mr. ASHURST. I yield to the Senator.

Mr. McLEAN. I should like to ask the Senator from Arizona if the new Federal Trade Commission, to his knowledge, has taken any steps to prevent this extortion?

Mr. ASHURST. Mr. President, I thank the distinguished Senator for asking me that question. I wish to say that so far as I know—and I have no official information—the Federal Trade Commission has investigated the question, and it is fairly shocked and astounded at the situation it finds. I think I have given the figures accurately, although I did not get them from the Trade Commission; but I noticed by the newspapers that the Federal Trade Commission or the Department of Justice is now seeking to have a Federal grand jury called to investigate the matter, and, if the evidence shows an unlawful act, to indict and convict those monopolies that are seeking to crush the very life out of the publishers, large and small, in our country.

There is a very unhappy commentary in connection with this whole business. The press of this country—I do not agree with it sometimes; especially do I disagree with those papers that criticize me—but the press of this country is courageous. Without regard to what they advocate, as a rule, the newspapers are courageous; but it is not to their credit at all that they have been silent, that they have been issuing their papers from day to day and have failed to call attention to this situation. Some of them are so hard pressed, some of them are required to pay such high prices for print paper, that I have no doubt they fear they will be unable to get print paper at all if they fly in the face of and criticize and call to the bar of justice and the bar of public opinion this outrageous extortion which the Print Paper Trust is now imposing upon them. That is the only hypothesis to which I am driven as an explanation for the silence of these various journals that are so meekly submitting to this extortion.

Mr. STONE. Mr. President—

Mr. ASHURST. I yield to the Senator from Missouri.

Mr. STONE. Some days ago I read a statement sent out from Chicago to the effect that a convention or meeting had been called—perhaps I would have better described it by saying a conference had been called—between the manufacturers of print paper and the publishers at Chicago to try to adjust their differences. The manufacturers, according to this report, declared in a defiant way to the publishers that if they sought to remedy through public authority—that is, through the Federal Trade Commission or the Department of Justice—the manufacturers would, in combination and cooperation, quit the manufacturing of print paper, and close the printing establishments of the country.

Mr. ASHURST. I thank the Senator for his statement. Mr. President, it is an absolute fact that certain papers, courageous otherwise, are, metaphorically speaking, on their knees imploring this Print Paper Trust to sell them white print paper at any price. Moreover, Mr. President, as the distinguished Senator from Missouri has said, the print-paper combination, or this combination making print paper, has issued to certain publishers, so I am told—I can not vouch as a fact for this one statement—that if they presume to advocate a particular line of policy contrary to the views of some of the men who are owners of and stockholders in this print-paper combination they will be crushed, and not be allowed to buy any print paper at all. As I say, I do not vouch for the truth of that statement, but I have been informed regarding it by what I believe to be a reliable authority. As to the other information I have given to the Senate, there is little doubt as to the facts being in accordance with my statement.

So, Mr. President, the publishers of this country are facing an increase in expense of print paper of \$60,000,000 over the year just closed. I will take a few newspapers as an example. The profit of the Boston Post last year was \$165,000. If it uses the same amount this year that it did last year, it will pay \$812,000 for its print paper alone. Not only will its profit of \$165,000 be swept out, but it will be required to go down

into its reserves to the tune of over \$600,000 more to pay for print paper alone.

Mr. SMOOT. Mr. President, I should like to ask the Senator where he gets the figures quoted?

Mr. ASHURST. I think so much of the Senator from Utah that it is painful for me to refuse to give him my source of information.

Mr. SMOOT. I accept that statement of the Senator; but I want to say to the Senator that the Federal Trades Commission, as he has already stated, has made an examination into the cost of making print paper and also has made an examination into the price at which the paper has been sold. That report will be made to Congress, I suppose, within a short time. But I wish to say to the Senator, in regard to the statement he made that no newspaper of any importance in the United States is compelled to pay to-day 10 cents a pound for print paper—

Mr. ASHURST. I did not catch the Senator's remark.

Mr. SMOOT. I say there is no newspaper in the United States of any importance that is paying 10 cents a pound, or \$200 a ton, for print paper. I will say to the Senator that I believe—and I have every reason to say that I know—the report of the commission will show that the cost of print paper for the year 1916 over and above the cost of print paper for 1915—I am not speaking now of 1913 and 1914; I am speaking of 1916—will show an increase of only about 4 cents per hundred pounds.

I will also say to the Senator I am quite sure this report will show that there is a great deal of paper furnished by the paper manufacturers to-day on contracts that have not yet expired and at a price of about 2 cents a pound, or \$40 a ton. I know myself of a great many papers in the United States that are still using paper under a contract made in the year 1914, at which time the general price was 2 cents a pound, or \$40 a ton, and some papers were purchasing it for a little less than that.

I wish to say to the Senator that this report, I think, will show that the price where there is no contract price will run from 2½ cents up to 7 cents a pound. Seven cents, of course, is where the purchaser buys it from a dealer or distributing agent in small quantity. The dealer perhaps buys a carload and then he sells it at retail at as high a price as he can get for it.

In what I said, Mr. President, I do not want the Senator to feel that I justify some of the high prices that are being charged for print paper, and the only reason why it could happen at all is because of the conditions existing in the world to-day.

I knew the Senator wanted to make no statement on the floor of the Senate, no matter where he gets the information, that is not borne out by the facts.

Mr. ASHURST. The Senator has correctly stated my attitude. I do not wish, here or elsewhere, to make a statement that is not in accordance with the facts. I have verified my statements to the best of my capacity. That I may be inaccurate in some detail I, of course, grant.

Mr. SMOOT. Mr. President, just a word in that connection before we leave the subject concerning print paper. Not only has print paper advanced in its price, but book paper of all kinds has advanced. I wish to say to the Senator now that if we were compelled to buy the paper for the Government of the United States to-day and purchase just the same amount of each kind of paper that we purchased last February it would cost the Government of the United States a little over \$1,000,000 more than it did last year. I will state to the Senator it is on no one class of paper, but the increases have run from, on the high-price papers, 12 to 20 per cent; on medium-class papers, 40 to 50 per cent; and on the cheapest paper it has advanced, sometimes, over 150 per cent. That comes about, however, because of the fact that the price of wood pulp has increased enormously and the price of everything that goes into the manufacture of paper has increased enormously.

Mr. ASHURST. That may be true, but I have another fact relating to that question which I will bring out in a moment.

Mr. WORKS. Mr. President—

Mr. ASHURST. I yield to the Senator from California, though I would like to finish at the earliest moment, of course.

Mr. WORKS. Conceding all that has been said by the Senator from Arizona as to the increased price paid, I am a little puzzled to know what that has to do with the question before the Senate. I should like to ask the Senator whether he thinks the Government ought to forego the right to increase the rate of postage to a reasonable amount because somebody else is extorting from the newspapers?

Mr. ASHURST. In reply to the distinguished Senator from California, I confess my arguments are not always powerful and frequently not to the point, and although they seem clear to me

they are about as clear as a concrete wall to some other Senators. But it has seemed to me that when I am pointing out that newspapers are about to be and are being mulcted to the tune of \$60,000,000 a year, it is pertinent to take into consideration the question as to whether we should impose an additional burden in the way of postal rates. That is the reason why I am reading these figures to show the burdens under which they are now laboring.

Mr. President, when I was interrupted I was calling attention to the fact that the Boston Post will be required to pay, assuming that it uses the same amount of paper this year that it did last year, \$812,000 for its print paper alone, and that its profit was last year, I am advised, \$165,000. Take one more illustration. I am not going to tire the Senate by going down a list of newspapers and show what the profits were and what they paid out, but taking one more illustration, the Kansas City Star, a paper printed in the State so ably represented here in the Senate by her two illustrious sons and Senators—if the Kansas City Star in the year 1917 uses the same amount of paper that it used last year, it will pay \$900,000 more for print paper than it paid last year.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Ohio?

Mr. ASHURST. I yield for a moment.

Mr. POMERENE. Has that paper increased its advertising?

Mr. ASHURST. I do not know. I wish to say that most of these papers, especially the country weeklies, the philanthropic, the trade and educational journals, the fraternal journals, and many of the weeklies and dailies make contracts for one, two, and three years in advance.

Mr. POMERENE. Can the Senator tell us what the profit was compared with that of last year?

Mr. ASHURST. I do not know what the profits were. I have not those figures.

Mr. POMERENE. May I ask the Senator another question? His position is that these publications are paying too much for their print paper. Clearly, that does not appeal to a Senator who thinks along a straight line as a reason why we should give this service for less than cost.

Mr. ASHURST. I premised my argument by saying it is the historic and ancient policy of our Government to encourage in every proper way the dissemination of information so that we may have an informed public opinion, because a misinformed public opinion is worse than monarchy—

Mr. POMERENE. In other words, if I—

Mr. ASHURST. Just let me finish. If an institution or business laudible in itself is fairly staggering under a load, is it wise, is it statesmanlike, to put upon it an additional burden that will in many instances crush and annihilate it altogether, when its income and revenues are required to meet the demands of this extortionate monopoly of print paper?

Mr. POMERENE. In other words, if I am a farmer and pay too much for a horse, the Government ought to relieve me from the payment of my taxes.

Mr. ASHURST. Not at all. I ask the Senator if he thinks this is right: I know of a chain of newspapers in his State the profits of which last year were \$500,000. This year they will pay \$750,000 more for print paper than they paid last year.

Mr. POMERENE. Can the Senator tell me what their profits were?

Mr. ASHURST. Five hundred thousand dollars, so I am told.

Mr. POMERENE. The profits last year?

Mr. ASHURST. So I am told.

Mr. POMERENE. What are the profits this year?

Mr. ASHURST. For this year I do not know. I am talking about the year 1916.

Mr. POMERENE. But the Senator is only presenting to us one view of this case. I should like to see the whole financial statement and then we could tell more about it.

Mr. ASHURST. I should like to see it myself.

Mr. TOWNSEND. May I ask the Senator a question also?

Mr. ASHURST. Certainly.

Mr. TOWNSEND. If I have followed the argument of the Senator correctly, he is arguing that because of additional cost to the newspapers the Government should be lenient with them this year and not impose what most of us believe is a just share of the taxes. Is it not a fact that the Government is laboring under all the disabilities that the newspapers are laboring under, its burdens have been increased during the year, and we are called upon this year to make the largest appropriation that the country ever asked of the Government?

Mr. ASHURST. I think the statement of the distinguished Senator from Michigan is very pertinent, and I thank him;

but I have never argued that the Government should be lenient with the papers. Search my remarks with a microscope, and you will not find the word "lenient." They have made their advertising contracts in accordance with what they have a right to presume would be the postal rates for this year. Here Congress is about to close, and a radical, sudden, and, I suspect, a not fully considered question of enormous increase is presented. The law is 32 years old, and they are to be required to meet this additional expense without notice.

Mr. VARDAMAN. Mr. President—

Mr. ASHURST. I wish to conclude in a moment.

Mr. VARDAMAN. I did not want to interrupt the Senator. It is not my purpose or desire to break the orderly chain of his argument. The Senator has stated correctly, I think, the purpose of the great system of dissemination of knowledge among the people as one of great consideration, one of the essential prerequisites to good citizenship. Now he is considering the newspaper as a philanthropic enterprise conducted for the good of humanity with incidental profits. If the Senator wants to help the farmer, who seems to be the object of so much solicitude and love, does not the Senator think it would be very proper for the Post Office Department to give to the farmer, who is now burdened with taxation, groaning under the load which he is carrying to maintain the Government, with the high cost of living, and all that, an opportunity to carry his wares cheaper?

Mr. ASHURST. I certainly do.

Mr. VARDAMAN. To carry the things he wants to sell to town cheaper and bring the things from town that he wants to buy cheaper, and then his condition might be ameliorated.

Mr. ASHURST. I think so.

Mr. VARDAMAN. Would the Senator, then, be in favor of lowering the parcel-post rate?

Mr. ASHURST. On some of the zones I would be. I am in favor of lowering the rates not on all zones but on some of them.

Mr. President, I trust I may finish this very dislocated statement without further interruption. I shall be through in four or five minutes.

The distinguished Senator from Utah [Mr. SMOOT], who furnishes information on nearly every subject on which he speaks, and he speaks on nearly every subject, stated that by reason of some advances in material, equipment, and so forth, necessary to produce the print paper a large part of the increase was occasioned thereby. Now, let us see about that. The Chicago Tribune owns its own paper mill and makes its own paper. I think, but I am not certain that I am accurate, it holds it through an auxiliary or a subsidiary corporation, and after making print paper sells to that great newspaper, the Chicago Tribune, print paper at \$44 a ton and makes a profit. Here are these monopolists confederated together selling print paper to the large user at \$62 per ton, to the small user at, as I said before, at some eighty-five to two hundred dollars a ton. So we put into juxtaposition that situation. The paper in Chicago had its own plant—I do not know where it is located—selling paper, I am advised, and meeting all its needs, at \$44 a ton. The argument must fall to the ground like a house of cards blown in a cyclone that they must increase their rates because of the enormous increase in expense of manufacture.

Mr. SMOOT. I suppose the Senator desires an answer, or he would not have called my attention to his argument.

Mr. ASHURST. I wanted to call the Senator's attention to the situation.

Mr. SMOOT. I think I know the situation pretty well throughout the country. I want to say to the Senator in speaking of the cost of print paper I do not speak of one particular manufacturer in the United States that purchased thousands of acres of wood for the purpose of manufacturing it into print paper. He no doubt bought the standing forest years ago at the stumpage value of a dollar per 1,000, and general stumpage has increased up to five, six, and seven dollars. The Chicago paper spoken of by the Senator, of course, is not compelled to charge the cost of paper that it now manufactures based on the present stumpage price of wood. That would be like putting a dollar out of one pocket into another.

Mr. ASHURST. Yes.

Mr. SMOOT. But when you come to take all the thousands of newspapers in the United States that do not manufacture a pound of paper, and when you take the paper manufacturers who have been and are compelled to buy every pound of wood pulp that they put into the paper manufactured by them, or every pound of sulphide used in the paper, then you have got to take into consideration what it costs to-day and not what it cost in 1914. The Senator will find when the Federal Trade

Commission's report comes in as to the price of wood pulp that is sold to our paper manufacturers in this country, that as they have no forests of their own and no machinery to manufacture wood pulp, they are compelled to pay exceedingly high prices for it.

The Senator will find that the price of wood pulp to all of this class of manufacturers has increased not 100 per cent, but 200 and 300 per cent. It was to that I had reference. I had no reference to simply one Chicago newspaper that manufactures its own paper from wood which was purchased years and years ago when the stumpage of wood was almost nothing. The Senator, however, is too wise a man not to take into consideration the conditions as they exist to-day, what a manufacturer has to pay for what enters into the manufacture of paper to-day. Everything that is required to produce paper, no matter what it is, costs more than it did in 1914.

Mr. ASHURST. Mr. President, I have no doubt that there is much of truth in the Senator's statement. With one sentence I am going to close. I have laid these facts, as I believe them to be facts, before the Senate, so that it might be informed and have all the information in the matter before it decided, in addition to the great burdens which these publications are bearing, whether we shall increase those burdens or shall let the status quo remain until there has been time for further investigation and examination.

The VICE PRESIDENT. The question is—

Mr. HITCHCOCK. I suggest the absence of a quorum, Mr. President.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fernald	Nelson	Smoot
Bankhead	Fletcher	Norris	Stone
Beckham	Gallinger	Overman	Sutherland
Borah	Gronna	Page	Swanson
Brady	Harding	Penrose	Thomas
Brandegee	Hitchcock	Pittman	Tillman
Broussard	Hollis	Pomerene	Townsend
Bryan	Johnson, Me.	Ransdell	Vardaman
Carson	Jones	Robinson	Wadsworth
Chamberlain	Kenyon	Shafroth	Warren
Chilton	Kirby	Sheppard	Watson
Clapp	Lane	Sherman	Weeks
Clark	Lewis	Shields	Williams
Cuberson	Lodge	Simmons	Works
Cummins	Martin, Va.	Smith, Ga.	
Curtis	Martine, N. J.	Smith, S. C.	

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present. The pending question is, Shall clause 3 of Rule XVI be suspended for the purpose of enabling the Senator from Florida [Mr. BRYAN] to submit his amendment.

Mr. BRYAN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the Senator from New York [Mr. O'GORMAN]. He is absent. Not knowing how he would vote if present, I withhold my vote.

Mr. HARDING (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD], but I note his absence from the Chamber, and therefore I will withhold my vote. If I were permitted to vote, I should vote "yea."

Mr. LEA of Tennessee (when his name was called). On account of my special interest in this question, I ask to be excused from voting.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Tennessee is excused from voting.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. STONE (when his name was called). I have a pair on this vote with the senior Senator from Indiana [Mr. KERN], who has been called from the Chamber on account of illness. If he were present, he would vote "nay." If I were at liberty to vote, I should vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. WALSH (when his name was called). I inquire if the Senator from Rhode Island [Mr. LIPPITT] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH. I have a pair with that Senator, and, in his absence, I withhold my vote.

The roll call was concluded.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. CHAMBERLAIN. I am paired with the junior Senator from Pennsylvania [Mr. OLIVER]. In view of his absence and my inability to secure a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. POMERENE. I am requested to announce the absence of the senior Senator from Maryland [Mr. SMITH] on official business. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

Mr. CURTIS. I have a pair with the junior Senator from Georgia [Mr. HARDWICK], who is necessarily absent, and I therefore withhold my vote.

I also desire to announce that the Senator from Vermont [Mr. DILLINGHAM] is absent on account of illness and is paired with the senior Senator from Maryland [Mr. SMITH].

Mr. BANKHEAD. I announce that the junior Senator from Georgia [Mr. HARDWICK] is absent from the Chamber on account of sickness. If present, he would vote "yea."

Mr. SMITH of South Carolina (after having voted in the affirmative). I have a general pair with the Senator from South Dakota [Mr. STERLING]. Inadvertently I voted. I see that that Senator is absent, and I transfer my pair to the Senator from Arizona [Mr. SMITH] and will let my vote stand.

Mr. CHILTON (after having voted in the negative). Mr. President, I was not aware that I had any personal interest in the matter before the Senate, but, since the statement made by the Senator from Tennessee [Mr. LEA], I am informed that probably I have. I own some interest in a newspaper, and I do not want to vote so that anybody can now or hereafter say that I had a personal interest in any public act which I may have done. I am sure that I never thought about it, but I own an interest in a newspaper. For that reason I ask leave to withdraw my vote.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. CURTIS. I have been requested to announce that the Senator from Rhode Island [Mr. COLT] is paired with the Senator from Delaware [Mr. SAULSBURY].

The roll call resulted—yeas 34, nays 37, as follows:

YEAS—34.

Bankhead	Hollis	Nelson	Thomas
Borah	Husting	Norris	Townsend
Bryan	Johnson, Me.	Overman	Vardaman
Cairn	Jones	Page	Wadsworth
Clapp	Kenyon	Pittman	Warren
Cummins	Kirby	Pomerene	Williams
du Pont	La Follette	Reed	Works
Fall	Lane	Robinson	
Fletcher	McCumber	Smith, S. C.	

NAYS—37.

Ashurst	James	Penrose	Smoot
Beckham	Johnson, S. Dak.	Phelan	Sutherland
Brady	Lee, Md.	Poindexter	Swanson
Brandege	Lewis	Ransdell	Thompson
Broussard	Lodge	Shafroth	Tillman
Clark	McLean	Sheppard	Watson
Culbertson	Martin, Va.	Sherman	Weeks
Fernald	Martine, N. J.	Shields	
Gronna	Myers	Simmons	
Hitchcock	Owen	Smith, Ga.	

NOT VOTING—25.

Chamberlain	Gore	Newlands	Sterling
Chilton	Harding	O'Gorman	Stone
Colt	Hardwick	Oliver	Underwood
Curtis	Hughes	Saulsbury	Walsh
Dillingham	Kern	Smith, Ariz.	
Gallinger	Lea, Tenn.	Smith, Md.	
Goff	Lippitt	Smith, Mich.	

The VICE PRESIDENT. On the question, Shall the rule be suspended? the yeas are 34 and the nays are 37. The motion is not agreed to.

Mr. JONES obtained the floor.

Mr. BRYAN. Mr. President—

Mr. JONES. I understand there are other committee amendments, and I yield to the Senator from Florida.

Mr. BRYAN. There are some other committee amendments. The amendments on page 11 were passed over.

The VICE PRESIDENT. The Secretary will state the amendments passed over.

Mr. SMOOT. Mr. President, the amendments on page 11 and page 14 went over at my request; but since the adoption of what is known as the Smoot amendment, increasing the salaries of certain employees, I shall make no objection at all to the amendments of the committee with relation to the substitute clerks, nor to those relating to the letter carriers, as found on page 14 of the bill. So far as I am concerned, as I asked that they go over, I have no further objection to them.

The VICE PRESIDENT. The amendments passed over will be stated.

The amendments were, on page 11, line 9, after the word "of," to strike out "all" and insert "75 per cent of"; in line 12, before the words "per cent," to strike out "twenty-five" and insert "five"; in line 14, before the words "per cent," to strike out "twenty-five" and insert "five"; in line 17, after the word "of," to strike out "all" and insert "75 per cent of"; in line 19, before the words "per cent," to strike out "twenty-five" and insert "five"; and in line 20, before the word "offices," to insert "post," so as to make the clause read:

And to provide for the promotion of 75 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 5 per cent of the clerks in the sixth grade to the designation of "special clerk" in the \$1,300 grade, and for the promotion of 5 per cent of the designated "special clerks" in the \$1,300 grade to the designation of "special clerk" in the \$1,400 grade, and to provide for the promotion of 75 per cent of the clerks in second-class post offices from the fourth to the fifth grade, and for the promotion of 5 per cent of the clerks in second-class post offices from the fifth to the sixth grade: And provided further, That there may also be employed at first-class post offices foremen and stenographers at a salary of \$1,300 or more per annum; in all, \$49,740,000.

The amendments were agreed to.

The next amendments passed over were, on page 14, line 11, after the word "of," to strike out "all" and insert "75 per cent"; in line 13, after the word "of," to strike out "all" and insert "75 per cent"; in line 14, before the word "offices," to insert "post"; in line 15, before the words "per cent," to strike out "twenty-five" and insert "five"; and in line 16, before the word "offices," to insert "post," so as to make the clause read:

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, and for the promotion of 75 per cent of the letter carriers in first-class post offices from the fifth to the sixth grade and for the promotion of 75 per cent of the letter carriers in second-class post offices from the fourth to the fifth grade and for the promotion of 5 per cent of the letter carriers in second-class post offices from the fifth to the sixth grade, City Delivery Service, \$40,550,000.

The amendments were agreed to.

Mr. BRYAN. Mr. President, at the top of page 29, line 7. I offer a substitute. It will be necessary to reconsider the vote by which the committee amendment on page 29 was adopted, and I ask to have that done.

The SECRETARY. On page 29, line 7, there was a committee amendment agreed to which read as follows:

Provided further, That hereafter the compensation of carriers on horse-drawn vehicle routes shall be at the rate of \$24 per annum for each mile of said routes in excess of a standard vehicle route of 24 miles, and any major fraction of a mile shall be counted as a mile.

Mr. BRYAN. I move to reconsider the vote whereby that amendment was agreed to.

The VICE PRESIDENT. Without objection, the vote will be reconsidered.

Mr. BRYAN. Now I offer as a substitute for it the matter which I send to the desk on behalf of the committee.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In lieu of the amendment agreed to, on page 29, beginning on line 7, it is proposed to insert:

Provided further, That on and after July 1, 1917, the compensation of carriers on daily rural routes shall be at the rate of \$24 per annum for each mile of said routes in excess of the standard vehicle route of 24 miles, and any major fraction of a mile shall be counted as a mile. A standard motor-vehicle route shall not be less than 36 miles in length and shall not be established unless a majority of the proposed patrons who are heads of families residing upon such proposed route shall, by written petition, ask the Post Office Department to establish the same.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BANKHEAD. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, following line 1, under the heading of "Office of the Postmaster General," it is proposed to insert:

For rent of suitable buildings for the use of the Post Office Department, including the mail bag repair shop and lock-repair shop, \$2,666.67.

The amendment was agreed to.

Mr. BRYAN. Mr. President, there is one other committee amendment, that was passed over at the request of the Senator from Mississippi [Mr. VARDAMAN]. That is the amendment on page 15, relating to the pneumatic-tube service.

Mr. VARDAMAN. Mr. President, I shall not consume very much of the time of the Senate in the discussion of this question.

I confess that at the beginning of the consideration of this item of the bill I was very much in favor of this appropriation;

but it was because I was not informed as to the work the tubes were doing in the distribution of the mail. This is a question about which Congress has differed in opinion ever since the establishment of the system. The Committee on Post Offices and Post Roads held extended hearings, and citizens from the cities of New York, Boston, Chicago, St. Louis, and Philadelphia came in great numbers with their counsel, able lawyers, and influential newspaper men, to convince the committee that the tube system should be continued. All the information I have on the subject has been given to me by the Post Office Department. That the officers and employees of the Post Office Department know what they are talking about and are qualified to speak upon this question, when you consider the history of this proposed legislation and read the story they tell, I do not think you will question the accuracy of their conclusion. I want to say that I have no interest in this matter except to bring out the facts that the Senate may be in possession of the truth about it, as I understand it. There is in this matter not only saving to the taxpayers, the question of the efficiency of the Postal Service, but there is a moral question also involved.

The act of April 21, 1902, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1903, contains the following provision:

For the transmission of mail by pneumatic tubes or other similar devices, \$500,000, or so much thereof as may be necessary; and the Postmaster General is hereby authorized to enter into contracts for a period not exceeding four years, after public advertisement once a week for a period of six consecutive weeks in not less than five newspapers, one of which shall be published in each city where the service is to be performed. That the contracts for this service shall be subject to the provisions of the postal laws and regulations relating to the letting of mail contracts, except as herein otherwise provided, and that no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service and until a favorable report, in writing, shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials, to be named by him; nor shall such advertisement issue until, in the judgment of the Postmaster General, the needs of the Postal Service are such as to justify the expenditure involved.

Pursuant to that law the Postmaster General, on the 17th of July, 1915, appointed a commission composed of Joe P. Johnston, General Superintendent Division of Railway Mail Service; W. S. Ryan, superintendent of Division of City Delivery; John C. Koons, chief inspector; I. T. Mullins, post-office inspector; and George A. Gardner, Assistant Superintendent of Railway Mail Service.

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER (Mr. KENYON in the chair). Does the Senator from Mississippi yield to the Senator from Washington?

Mr. VARDAMAN. I yield to the Senator from Washington.

Mr. POINDEXTER. I do not want to interrupt the Senator's argument. I was out of the Chamber when this amendment was reached. I should like to inquire whether a point of order has been made against the amendment?

Mr. VARDAMAN. A point of order has not been made against it.

Mr. POINDEXTER. I make the point of order against it, Mr. President. Without desiring to interrupt the argument of the Senator, I just want to reserve that right.

Mr. VARDAMAN. I think the point of order will lie. I do not think there is any question about its being general legislation on an appropriation bill.

Mr. POINDEXTER. I make the point of order that it is general legislation on an appropriation bill.

Mr. SMOOT. Does the Senator make that point of order now?

The PRESIDING OFFICER. The Senator from Mississippi has the floor. Does he yield to the Senator from Utah?

Mr. VARDAMAN. For what purpose does the Senator rise? Does he wish to ask me a question?

Mr. SMOOT. All I wanted was to ask whether the Senator from Washington made his point of order now, and whether it was going to be ruled upon at this time. I do not want to take the Senator off the floor, of course. I could not do it if I wanted to.

Mr. VARDAMAN. Of course, the Senator from Washington can not make the point of order with the Senator from Mississippi occupying the floor.

The PRESIDING OFFICER. The Chair will say to the Senator from Mississippi that he understands the Vice President has ruled, as to similar amendments, that they are in order; and the present occupant of the Chair will so rule.

Mr. POINDEXTER. Mr. President, my sole purpose was to protect myself in the right to make the point of order. If it can be done without taking the Senator from Mississippi off the floor, I desire to pursue that course. I do not want to interfere with his speech in any way.

Mr. VARDAMAN. The Chair has ruled that it is in order.

The PRESIDING OFFICER. The Chair will say to the Senator that the Chair is not ruling. He is simply stating to the Senator the line the Vice President has followed in his rulings. The Senator from Mississippi has the floor, and the Chair does not understand that he could be taken off the floor.

Mr. VARDAMAN. Well, Mr. President, we will raise the point of order later, if the Senator from Washington wants to make that point. I do not know what the Vice President has decided, but I am satisfied the point of order ought to be sustained; but we will look after that later.

Mr. THOMAS. Mr. President, may I interrupt the Senator for a question?

Mr. VARDAMAN. I yield to the Senator from Colorado.

Mr. THOMAS. I notice that the amendment which the Senator is discussing so intelligently is an amendment to a House provision; or, to be more accurate, the House provision upon the same subject is stricken out and this amendment substituted for it.

Mr. VARDAMAN. Yes; but this amendment does a great deal more than that.

Mr. THOMAS. Now, my question is whether the Senator is satisfied with the House provision concerning this subject?

Mr. VARDAMAN. No; I am not.

As I was about to state, Mr. President, and probably I did state, on the 17th of July, 1915, this commission was appointed pursuant to law. This commission reported to the Senate the result of its investigation, and I am going to give the Senate succinctly what that commission discovered.

They say:

"While the pneumatic tubes are free from surface congestion and the containers travel at a high rate of speed between stations, these advantages are outweighed because of—

"1. The necessity of relaying containers at way stations, thus involving a great loss of time;

"2. Requiring all intermediate stations to be kept open, with the employees on duty;

"3. The impossibility of dispatching mail to the point where it is received by or taken from the railroad companies without additional handling;

"4. The inability to prevent dampness and moisture in the tubes, thus causing damage to the mail;

"5. The stoppage of the operation of the entire service when the line is discontinued between any two points;

"6. The inflexibility of the service;

"7. Its inability to meet current emergency conditions, thus resulting in congestion; and

"8. Its excessive cost of \$17,000 per mile per annum.

"The use of the tubes is confined to the transportation of first-class mail, which represents, according to the report of the Hughes Commission, approximately 12 per cent of the entire weight of all classes of mail. However, since the establishment of the Parcel Post Service this percentage has been greatly reduced as to bulk and somewhat reduced as to weight. In two of the cities having pneumatic-tube service less than 50 per cent of the first-class mail (which constitutes less than 12 per cent of all mail) is transported by tube between the points having such service, while in some cities the volume is greater; but notwithstanding this fact it is necessary, because of the limited capacity of the tubes, to parallel the tube service in each instance by surface transportation, not only for the transmission of other classes of mail but for mail of the first class, all of which in theory should be handled by the tubes.

"Of the letter mail transported by tubes from 82 to 97 per cent could be handled by the present means of surface transportation without any delay or additional cost. The department therefore derives no benefit from the transportation of a large percentage of the mail that is now forwarded through the tubes. The volume of mail advanced by the use of the tube service at stations having such service, even under the present screen-wagon schedules, which are arranged with a view of utilizing the tube service to the fullest extent, is almost infinitesimal, varying from 1 per cent of the entire volume of mail in New York City to as low as 0.21 per cent in the city of Philadelphia, the average for all cities having tube service amounting to about 0.7 per cent.

"The price paid for the tube service is the same in all instances (\$17,000 per mile per annum), which is a higher rate per mile than the total paid all the railroads that enter New York City for carrying all of the mail, approximately three times as much as that paid all the railroads for the same purpose that enter Boston, more than twice as much as that paid the railroads that enter St. Louis, and greater than the amount paid the railroads that enter Philadelphia, notwithstanding

the fact that they only advance from 0.21 per cent to 1 per cent of the mail.

"If the tubes are abandoned other means of transportation can be furnished at less than one-third the cost, which will not only transport the mails as expeditiously as the present tube service but even more so. The postmasters at the cities of Boston, Philadelphia, St. Louis, Chicago, and Brooklyn have stated that the tube service can be discontinued and more efficient service rendered by other means; and although the pneumatic tubes cost \$17,000 per mile per annum, the statements made by these officials show clearly that better service can be rendered at a cost that would equal \$3,500 per mile.

"The question therefore resolves itself into one as to whether or not the Postmaster General shall be directed to continue a service at \$17,000 per mile per annum when better service can be rendered at a cost of \$3,500 per mile or less, and which the postmasters and supervisory officers at offices involved have urged be discontinued. Against the statements of the persons having charge of the Postal Service we have those of the hired attorneys, agents, and officers of the tube companies urging that they be continued, and who have rallied to their support business organizations whose representatives have no knowledge of the Postal Service and have not the slightest responsibility resting upon them for its successful administration.

"The evidence before the committee shows that during one evening recently in New York City more than 700 containers of mail originating below Forty-second Street were delayed, some of them for a great length of time, because of the congestion in the tubes. This congestion involved a delay of more than 1½ tons of important business mail originating in the financial and business districts of New York City. Much of this mail missed its connections, involving delays from 12 to 24 hours in delivery. If the business organizations in New York City knew the true facts of this service, I am persuaded to believe they would be insisting on its discontinuance instead of its continuance.

"The percentage of the additional mail which it would be necessary to provide transportation for in case the tubes are to be discontinued is so small its effect upon the congestion of the streets would not be noticeable; besides, the Post Office Department should have the same right to place vehicles upon the streets as merchants and business men of the various cities have. There was no evidence before the committee that any protest had been made by the traffic officers or officials of any city against the merchants placing such machines on the streets as might be necessary to deliver their parcels; besides, a very large portion of the tube service in Boston was built for the merchants for the delivery of parcels, but abandoned by them more than 15 years ago as an unsuccessful business venture. No protests were made by the merchants of the city at that time against the discontinuance of this service and placing their traffic on the streets. In endeavoring to discontinue the service at this time the Post Office Department is attempting to discontinue a service that the merchants of Boston 15 years ago considered as obsolete and useless.

"The Senate must therefore decide between the recommendations of the department, the postmasters, and those responsible for the Postal Service and whose duty it is to render efficient postal service on the one hand and the inspired representations made by the tube companies on the other; and the only practical conclusion would be to follow the recommendations of the Post Office Department and not appropriate a million dollars to be used in the next year in extravagance and waste. In directing that the Post Office Department continue the use of the service for another year the Senators are directing that the Postmaster General use a utility which the Members of Congress themselves are not willing to use, because the tube line which is built between the Capitol and the House Office Building has never been utilized to any purpose because it has not been found by the Members themselves to be practicable."

Mr. President, I have a statement prepared for me by the First Assistant Postmaster General of the cost and the saving to the Government if the Post Office Department is permitted to do what the Post Office Department believes to be in the interest of the public service.

The act of 1902 provided this contract should not be renewed until the Postmaster General had appointed a commission of not less than three expert postal officials to investigate it, believing that he would do that which would promote the public service rather than take care of private interests. The Postmaster General has done that. This report has been made as I have stated heretofore. Now, listen to what they discovered: The percentage of mail of all classes which is first class is 12. The percentage of letter mail received and dispatched by tubes at stations having tube service in New York is 46.92. In Brooklyn, 47.75 per cent of first-class mail; in Boston, 89.36;

in Chicago, 67.03; St. Louis, 80.96; and in Philadelphia, 67.44; that is, 67 per cent of 12 per cent of the total mail handled.

Percentage of mail of all classes, percentage of letter mail received and dispatched by tubes at stations having tube service in New York is 5.63; Brooklyn, 5.73; Boston, 10.72.

[At this point Mr. VARDAMAN yielded to Mr. BRYAN, on whose motion the Senate agreed to meet at 10 a. m. to-morrow.]

Mr. VARDAMAN. Now, Mr. President, I am going to repeat this table and I hope Senators will listen to it. They talk about economy, retrenchment, and reform. Unless the officers of the Post Office Department are incompetent and dishonest this statement will convince you that the continuation of the pneumatic system is an unwarranted and indefensible extravagance of something over \$600,000 per annum. It is a gratuity voted out of a depleted Treasury to men who have no legal or moral right to receive it.

As I said in the beginning, I do not know whether these facts are true or false, but I am going to indulge the presumption that the officers of the law, the Postmaster General, and those who have cooperated with him in making this investigation are honest and patriotic. I am convinced also that they are informed and inspired by a sincere desire and purpose to perform properly the functions of their respective offices.

Mr. THOMAS. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. VARDAMAN. I do.

Mr. THOMAS. Is it not a fact that the pneumatic-tube system of Boston was constructed as a commercial enterprise, and having proved a failure for that purpose was then taken over by the Government for its mail system at an expense of \$17,000 a mile? I have been so informed.

Mr. VARDAMAN. I understand that is true. This commission reports—

Mr. MARTINE of New Jersey. Permit me to state that it does not militate against the policy of the tubes because it was started for a parcel-post business.

Mr. VARDAMAN. I want to say to the Senator who interrupts me without permission—but he is always welcome to any time I may have at my disposal—

Mr. MARTINE of New Jersey. I humbly beg the Senator's pardon.

Mr. VARDAMAN. That the judgment of the Postmaster General and the expert officers of the Government who have investigated it is worth quite as much as my superficial investigation and the investigation of the able Senator from New Jersey, and I think they are quite as honest and patriotic as Members of this body. They know more about this question than any Senator knows about it, and they are not interested in anything else than the public service. They have no friends with investments to protect. It matters not with them whether the \$10,000,000 or \$7,000,000 invested in the tubes pay dividends or not. They are sworn to serve their Government and the American people, and I believe they are doing it fearlessly and well.

Now, listen, I repeat, what they say about it:

The percentage of mail of all classes which is first class is 12. Percentage of letter mail received and dispatched by tubes at stations having tube service, New York, 46.92.

Mr. WEEKS. Does that refer to weight or to pieces?

Mr. VARDAMAN. It means for the total mail.

Mr. WEEKS. I mean is the Senator using the basis of pieces or of weight?

Mr. VARDAMAN. I am using the basis, as I said, of letter mail received and dispatched by tubes at stations having tube service; that is, letter mail that is sent through the tubes.

Mr. WEEKS. What I want to know is, does that mean 12 per cent of pieces or 12 per cent of weight?

Mr. VARDAMAN. No; it is 12 per cent of all the mail.

Mr. WEEKS. Total of what; weight?

Mr. VARDAMAN. I suppose it means 12 per cent of the mail. In New York it is 46.92; Brooklyn, 47.75; Boston, 89.36; Chicago, 67.03; St. Louis, 80.96; Philadelphia, 67.44.

Now, the percentage of mail of all classes received and dispatched by tubes at stations having tube service is 5.63 at New York, at Brooklyn 5.73, at Boston 10.72, at Chicago 8.04, St. Louis 9.71, Philadelphia 8.19.

Percentage of letter mail received and dispatched by tubes that can be handled by existing means of transportation without delay or additional expense, New York, 82.21; Brooklyn, 90.82; there is no data given for Boston; Chicago it is 87.73; St. Louis, 82.79; Philadelphia, 97.46.

Percentage of entire volume of mail handled at tube stations for which it will be necessary to provide other means of transportation if tubes are abolished—New York 1, Brooklyn, 0.53; no data for Boston; 0.99 for Chicago; 0.68 for St.

Louis; 0.21 for Philadelphia. Cost per mile for tube service \$17,000 in all these cities. Cost per mile for transporting entire volume of mail arriving and departing on all railroads in New York, \$16,764 (that includes Brooklyn; Boston is \$6,038; Chicago, \$26,509; St. Louis, \$7,236; and in Philadelphia, \$15,898).

Cost of present surface transportation (excepting collection service) in New York, \$568,873; in Brooklyn, \$142,367; in Boston, \$99,549; in Chicago, \$346,308; in St. Louis, \$101,752; in Philadelphia, \$133,216.

Cost of existing tube service in New York, \$449,293; Brooklyn, \$22,950; Boston, \$115,158; Chicago, \$168,419; St. Louis, \$33,796; Philadelphia, \$169,998, making a total of \$959,614.

The estimated cost of surface transportation if tubes be abolished is \$250,000 in New York (that includes Brooklyn), \$29,000 in Boston, \$28,000 in Chicago, \$4,700 in St. Louis, \$34,000 in Philadelphia, making a total of \$345,700.

The estimated annual saving in New York is \$199,293, Brooklyn \$22,950, Boston \$86,158, Chicago \$140,419, St. Louis \$29,096, Philadelphia \$135,998, or a saving if the report of this committee shall be adopted to the people of the United States of \$613,914.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. VARDAMAN. I yield to the Senator.

Mr. WALSH. I should like to ask the Senator what the percentage of increase of haulage would be if the mail now transported by tubes were transported by means of automobile trucks—that is, through all these cities?

Mr. VARDAMAN. It is right here; I just read it. Percentage of entire volume of mail handled at tube stations for which it will be necessary to provide other means of transportation if tubes are abolished, in New York, 1; in Brooklyn, 0.53; no data for Boston; in Chicago, 0.99; in St. Louis, 0.68; and in Philadelphia 0.21.

Mr. WALSH. Let me inquire, is it the opinion of the Senator from Mississippi that no additional trucks would need to be put upon the streets for the purpose of effecting a haulage?

Mr. VARDAMAN. It would require some, I think.

Mr. WALSH. How many?

Mr. VARDAMAN. Here it is. Percentage of letter mail received and dispatched by tubes that can be handled by existing means of transportation without delay or additional expense, in New York, 82.21; in Brooklyn, 90.82; no data for Boston; in Chicago, 87.73; in St. Louis, 82.79; and in Philadelphia, 97.46.

As a matter of fact, Mr. President, when this matter was brought to my attention I could not understand, as I stated a moment ago, and I do not understand now—if we indulge the presumption that the Postmaster General is honest, patriotic, and worthy of the great place he occupies, and I believe he is; if those associated with him in this investigation are capable, sincere, and trustworthy, and I believe they are; if they have stated the truth in this report—I repeat, I can not see how there can be any justification for the continuance of this tube service. But it is urged by the proponents of this measure that additional trucks upon the streets will bring about congestion of the commerce of the city; that they will hinder and delay the movement of commerce along the streets. Now, I submit that nobody raised that question when the merchants of Boston abandoned the tubes and put upon the streets wagons for distributing their goods throughout the city. The number of trucks that will be necessary to carry the mail that is now carried by the tubes in addition to the trucks already in use by the Post Office Department is so infinitesimally small that it will not block the channels of commerce in these great cities to any appreciable extent. In conversation with the Postmaster General about this matter he said to me with great earnestness that if he had the power to act for the Government he would abandon the use of the tubes, even if the stockholders were to deed the entire system to the Government without cost, because he thought it would be a wise economy and a great saving of public funds, besides adding materially to the efficiency of the service.

Mr. WALSH. That is what I wanted to inquire about.

Mr. JONES and Mr. WADSWORTH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield; and if so, to whom?

Mr. VARDAMAN. I will yield to the Senator from Washington in a moment.

Mr. WALSH. I simply want to inquire of the Senator if he can tell us what additional percentage of trucks it would be necessary to put upon the streets in order to do this work?

Mr. VARDAMAN. I can not tell the Senator from Montana offhand, but it would require very few more trucks. I now yield to the Senator from Washington.

Mr. JONES. Mr. President, I merely want to say that in the copy of a letter which the Postmaster General wrote, and which I received this morning, I think there is a direct answer to the question of the Senator from Montana [Mr. WALSH]. If the Senator from Mississippi will permit me, I will read just a few lines from the letter.

Mr. VARDAMAN. I shall be very glad to have the Senator from Washington do so.

Mr. JONES. The Postmaster General states:

Approximately 87½ per cent of the mail now transported by tubes can be transported by the present means of surface transportation without additional cost or delay. If the tubes are abandoned, it will be necessary to provide transportation for 12½ per cent of the first-class mail now forwarded by tubes, which represents 0.7 per cent of the entire volume handled at the station having tube service. It can be easily seen that the claim that this would greatly congest the streets is ridiculous.

Assuming the statement of facts to be as the Postmaster General has made it, it gives a pretty good idea as to the situation.

Mr. VARDAMAN. If the Senator from Washington will pardon me, I had already put that information into the RECORD.

Mr. WADSWORTH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New York?

Mr. VARDAMAN. I yield to the Senator from New York with pleasure.

Mr. WADSWORTH. The Senator from New York thanks the Senator from Mississippi for his patience, but I had an idea that I might contribute to an answer to the Senator from Montana [Mr. WALSH] when he inquired as to what increase there would have to be in the service of trucks in order to take care of the mail which is now handled in the tubes. The assistant postmaster of the city of New York appeared before the Post Office Committee and incidentally very strenuously urged the retention of the tube service in that city. I might say, in passing, that the present postmaster of New York rose from the ranks, starting in as a civil-service clerk in that office.

He says with respect to that that on two circuits, which in a sense are now paralleled by the tubes, they make 24 trips a day with automobile trucks, while if the tubes were abandoned there would have to be 38 trips a day. On another circuit, where they are now making 20 trips a day with the trucks, if the tubes should be abandoned they would have to make 41 trips. His testimony goes much further into the merits of the case, and at the proper time I shall call it to the attention of the Senate, for the postmaster arrives at conclusions utterly different from those of the Postmaster General.

Mr. VARDAMAN. Mr. President, in reply to the information which the Senator from New York has given for the purpose of showing the necessity for retaining the tubes, let me say that if the trips are made with automobiles or with screened wagons they can be made for so much less than the tubes cost and do the work quite as expeditiously. It costs only about \$3,500 to do the work with trucks, screened wagons, and automobiles, while it costs \$17,000 by the tubes. It strikes me that in these strenuous times, with a depleted Treasury and the enormous outlay which must be made for armaments and other expenses of the Government, when the underpaid clerks and employees of the Government are knocking at the Treasury for help, that this item of three-quarters of a million dollars, aside from the moral question involved, should appeal to Senators as worthy of consideration.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. VARDAMAN. I do.

Mr. THOMAS. Will it interrupt the Senator if I inquire whether the Postmaster General's report does not recommend the retention of the tubes between the post office and the Grand Central Station in New York?

Mr. VARDAMAN. Yes; he recommends that with reference to New York.

Mr. President, I have discharged what I believe to be my duty to the American people. I have put into the RECORD the facts of the case as I understand them. It now remains with the Senate to do as its sense of prudence, economy, and loyalty to the American people may dictate.

Mr. President, I now ask permission to print as a part of my remarks a letter from the Postmaster General which is addressed to the Senator from Alabama [Mr. BANKHEAD], chairman of the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. In the absence of objection, permission to do so will be granted.

The letter referred to is as follows:

FEBRUARY 10, 1917.

HON. JOHN H. BANKHEAD,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR BANKHEAD: The bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes, now under consideration by the Senate, contains a provision, on page 15, which authorizes and directs the Postmaster General to extend existing contracts for pneumatic-tube service until June 30, 1918. This proposed amendment is a change in existing law and practically nullifies the act of Congress of 1902 relating to this service, which provides:

"(a) That no advertisement shall issue until after careful investigation shall have been made as to the needs and practicability of such service and until a favorable report in writing shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials, to be named by him; and

"(b) Nor shall such advertisement issue until in the judgment of the Postmaster General the needs of the Postal Service are such as to justify the expenditure involved."

In accordance with this act a commission composed of the ablest postal experts in the service was appointed, and, after thorough investigation, recommended that the service be discontinued in the cities of Boston, Brooklyn, Philadelphia, Chicago, and St. Louis. These recommendations had the unanimous approval of the postmasters and supervisory officials of the post offices involved, and from the facts before me I am thoroughly convinced that the needs of the Postal Service are not such as to justify the expenditure involved for pneumatic tubes, as the act of 1902 requires. The rental paid for the tubes (\$17,000 per annum per mile) is exorbitant, and more efficient service can be rendered by other means at less than one-fifth of the cost.

Notwithstanding the inefficiency and limited capacity of the tubes, the rental paid is greater per mile than the entire amounts paid the railroads per mile that enter New York City for carrying the entire volume of mail and approximately three times as much as is paid the railroads that enter Boston for the same purpose.

Owing to the inflexibility of the tube service and because it can not be expanded to meet recurrent or emergent conditions, congestion occurs and great quantities of mail are delayed. Only recently during one evening more than 700 containers were delayed in New York City in the territory below Forty-second Street, where the great financial and business institutions of New York City are located, and because of this fact the congestion caused train connections to be missed and resulted in delays in some instances of 12 hours in reaching the addressee. In Philadelphia the incoming mail on December 29, 1914, was delayed at Penn Square Terminal from 26 minutes to 1 hour and 10 minutes before even the first container of mail from each train could be sent through the tubes; and similar conditions prevail in other cities where any quantity of mail is to be transported.

Such conditions in the Postal Service are deplorable, and in justice to the public steps should be taken to render more efficient service.

Approximately 87½ per cent of the mail now transported by tubes can be transported by the present means of surface transportation without additional cost or delay. If the tubes are abandoned, it will be necessary to provide transportation for 12½ per cent of the first-class mail now forwarded by tubes, which represents 0.7 per cent of the entire volume handled at the stations having tube service. It can be easily seen that the claim that this would greatly congest the streets is ridiculous.

The contracts for this service will expire on March 4, 1917, and the department is not under the least moral obligation to renew these contracts or to continue the service further, and the representatives of one of the companies so admitted when appearing before your committee.

This pneumatic-tube service as a means of transportation is obsolete and has little or no merit. To continue its use would be an extravagance and waste of public money. The companies, realizing this, have no hope of securing a renewal of their contracts under the law of 1902, and are now endeavoring—although they admit the department is not under the slightest obligation to them to have the service extended—to continue the service by having Congress direct the Postmaster General to extend the contracts to June 30, 1918. If this amendment prevails and the Congress directs the extension of the contract without competition or regard to the merits of the service involved, it will be establishing a precedent, as there would be nothing to prevent any other contractor for any other branch of the service coming to Congress and asking that the same consideration be shown him.

That the pneumatic tubes as a means of transportation are obsolete can not be demonstrated better than by the fact that a large portion of the system in Boston, which was installed more than 15 years ago for the use of the merchants in transporting parcels, proved an absolute failure and was abandoned and then railroaded on the Postal Service.

The department is confronted with this situation—whether it shall continue the use of the service at an enormous rental and continue to impose on the public an inefficient service by delaying its mail when the mail can be expedited by other means which are efficient and which can save the Government \$618,000 each year.

The Postmaster General is charged with the responsibility of administering the Postal Service in an efficient manner, and must stand the criticisms of the public when he fails to do so. For that reason he should not have an inefficient service imposed on him, and I trust that the amendment will not prevail and that the department will be permitted to undertake the responsibility for working the matter out in its own way under the law as Congress has written it and in the interest of the public and without an extravagant waste of money.

Very sincerely,

A. S. BURLESON,
Postmaster General.

During the delivery of Mr. VARDAMAN's speech,

Mr. BRYAN. Mr. President—

Mr. VARDAMAN. I yield to the Senator.

Mr. BRYAN. Will the Senator allow me to make a motion with reference to the hour of meeting to-morrow?

Mr. VARDAMAN. Certainly; I will be very glad to yield for that purpose.

Mr. BRYAN. I move that when the Senate adjourns to-day it be until 10 o'clock to-morrow.

Mr. PENROSE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. VARDAMAN. I have yielded for that purpose, but I was going to ask the Senate, if there is nothing else to engage the attention of the Senate to-night, to give the friends of the flood-control bill an opportunity to discuss that measure at a night session.

Mr. BRYAN. That would not interfere with this motion.

Mr. PENROSE. If the Senator will permit me, I earnestly hope the Senator will not insist on meeting at the hour of 10 o'clock. Experience has shown conclusively, I think, that we accomplish nothing by it except greatly inconveniencing those Senators who are conscientious enough to be here when the Senate meets. We wait for 30 or 40 minutes to get a quorum and just waste our time and the time of the Senate.

Mr. BRYAN. It seems to me it is just a choice between meeting at an early hour to-morrow and having a night session, and I feel sure that we would not be likely to have a quorum to-night.

Mr. PENROSE. I am as sincerely anxious to expedite the legislative program as any member of the majority.

Mr. VARDAMAN. If this discussion is going to continue, I decline to yield any further.

Mr. PENROSE. I beg the Senator's pardon; I understood we were discussing in a kind of unanimous-consent way the suggestion of the Senator from Florida. If I am wrong, of course, I will yield.

Mr. VARDAMAN. I have no objection to yielding to the Senator at all. Go ahead.

Mr. PENROSE. That is what I thought, that I had the Senator's consent. I am as earnestly anxious as any Member of this body to expedite the legislative program and get every bill passed that properly ought to be considered in the limited time allowed, and let us adjourn. I view with abhorrence the mere possibility of an extra session unless something unexpected occurs to require it. But experience shows, and I think a little reflection will convince the Senator from Florida of the fact, that we accomplish nothing by trying to overwork the Senate. We are all busy men; we have committee meetings and other matters outside of our actual physical presence on this floor.

Mr. BRYAN. Would the Senator prefer to go on to-night rather than to meet earlier to-morrow?

Mr. PENROSE. I have no personal preference one way or the other, but I know you will not have a quorum here at 10 o'clock to-morrow, and you may have to wait until nearly 11 o'clock to get a quorum. I doubt whether you would have a quorum to-night. My suggestion would be—

Mr. VARDAMAN. Will the Senator consent to have a night session to consider the flood-control bill?

Mr. PENROSE. Yes; as far as I am concerned.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. VARDAMAN. I yield to the Senator from Massachusetts.

Mr. WEEKS. I hope to have an opportunity to make some comments on this matter. I have a very important engagement to-night, and it would be extremely inconvenient for me to attend. I am willing that the Senate shall convene at 9 o'clock to-morrow, so far as that is concerned.

Mr. VARDAMAN. I should be glad to meet the Senator's convenience by confining the discussion to-night to the flood-control bill.

Mr. BRYAN. If the Senator will permit me just a moment, it was my idea that the Senate would stay in session until 6.30 and go on discussing this bill.

Mr. SMOOT. Six o'clock.

Mr. BRYAN. Or 6 o'clock. At any rate, it was not the intention to adjourn immediately; but while a number of Senators are here who will probably not remain much longer I wished to make the motion. If agreeable to the Senator from Mississippi, I will move that when the Senate adjourns to-day it be until 10 o'clock to-morrow.

Mr. PENROSE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Pennsylvania?

Mr. VARDAMAN. I yield to the Senator from Pennsylvania.

Mr. PENROSE. If the Senator from Florida insists on overtaxing this body with work which I know they are not willing to respond to, I want to say that, while I do not want to make myself disagreeable, I shall insist on having a quorum during these extraordinary hours. My advice to the Senator would be to go along as he is doing. He is making good progress; we are drawing very nearly to the end of this bill; and he will

gain just as much by having us here fresh and invigorated and attentive to the job instead of having the bell ringing every 15 minutes to summon laggards into the Chamber.

Mr. BRYAN. I hope the Senator will be here at 10 o'clock to-morrow.

Mr. PENROSE. I will be here, and I want the rest here.

Mr. BRYAN. I ask the Chair to state the motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida, that when the Senate adjourns to-day it adjourn to meet at 10 o'clock to-morrow.

The motion was agreed to.

After the conclusion of Mr. VARDAMAN's speech, Mr. MARTINE of New Jersey obtained the floor.

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Washington?

Mr. MARTINE of New Jersey. I yield to the Senator.

Mr. POINDEXTER. Mr. President, I desire to renew the point of order which I made against this provision, and I beg leave briefly to state the grounds upon which I make the point of order. I make it, first, upon the ground that the amendment is general legislation. The general legislation consists in the fact that it contains a mandatory provision requiring the Postmaster General to make a contract for pneumatic tubes. There is no such law now upon the statute books, and the provision to that effect in this amendment is a new law of a general nature, changing the existing law. It is general legislation. Consequently, it comes within the prohibition of the rule of the Senate as to general appropriation bills.

Furthermore, the amendment provides for the establishment of a commission consisting of three members of the Committee on Post Offices and Post Roads of the Senate, to be appointed by the Vice President, a similar committee on the part of the House of Representatives, and so forth, as to the constituent members of the commission.

It then proceeds to define the duties and powers of the commission, "to investigate the value of the pneumatic-tube service, their properties, their franchises, and other equipment, with a view to the purchase and operation of the same, or any portion thereof, by the Government, and to ascertain the cost and the terms upon which such purchase may be made." That has nothing whatever to do with the limitations upon the use of the money that is appropriated by this bill. It is a new subject matter, distinct in itself, and of a most general nature.

Mr. VARDAMAN. If the Senator from Washington will permit me right there, I think the failure of the other House to go any further than it did was because it desired to avoid the question which the Senator is now raising.

With this bill as the House passed it and with the present law unrepealed, the Postmaster General can not be compelled to make these contracts. It is only by this amendment, which repeals a general law, that this service can be continued. I myself think that the amendment is subject to a point of order.

The PRESIDING OFFICER. The Chair is ready to rule on the point of order.

Mr. LODGE. Mr. President, I should like to be heard on the point of order, if I may be.

The PRESIDING OFFICER. The Chair will say to the Senator before he argues the matter that the Chair has changed his mind as to the announcement he made some time ago. Upon further consideration it seems to the Chair now that the point of order is good.

Mr. LODGE. Mr. President, in the first place, this amendment contains two distinct propositions, and I ask that it be divided.

The PRESIDING OFFICER. If there is no objection, that course will be followed.

Mr. LODGE. I think under the rules the division has to be granted.

I now address myself to the first division of the amendment. The first division of the amendment relates wholly to the appropriation made. It has been held over and over again in both Houses that any provision limiting or directing or controlling in any way the expenditure of money appropriated is in order. I think there can be no doubt about that general proposition. Of course, the proposition that we can not compel the Postmaster General to make a contract or prevent his prohibiting a contract being made is untenable. We can direct him to do anything we please. But my single point is that the first part of the amendment which is now divided, and therefore the first amendment really, relates solely to the control of the appropriation. The second part of the amendment relates to the creation of a commission and the appropriation of money, which, so far as I know, is not estimated for; but I think that it has been

held in the past that provision for a commission concerned with the investigation of an expenditure of money appropriated in the bill is in order. However, I am not discussing that now. I am making my contention in favor of the first division of the amendment being in order on the ground that it relates solely to the control of the appropriation.

The PRESIDING OFFICER. Does the Senator from Washington make his point of order to the separate portions of the amendment as they now stand?

Mr. POINDEXTER. I do.

The PRESIDING OFFICER. The first portion of the amendment contains no new proposition. The amount of compensation is not increased or the nature of the service changed. It does not propose new legislation. It seems to the Chair that that part of the amendment is clearly in order.

Mr. POINDEXTER. Mr. President—

Mr. LODGE. I think the Chair ought to be allowed to rule without interruption.

The PRESIDING OFFICER. The Chair will be glad to hear the Senator.

Mr. POINDEXTER. It seems to me the Chair is fully capable of protecting himself in that regard, and that a Senator has a perfect right to make an inquiry of the Chair.

Mr. LODGE. Not in the midst of the Chair's ruling. I never before saw that done in the Senate.

The PRESIDING OFFICER. The Chair had about completed his ruling, and will be glad to hear from the Senator from Washington.

Mr. POINDEXTER. Mr. President, I only want to say a word in that connection, and that is that, in my view, the first half of this amendment contains a far more vital and substantial change of existing law than the second part. As the law now stands the Postmaster General is not required to make contracts for pneumatic-tube service; whereas, if this amendment is adopted, the Postmaster General has no discretion in the matter, but is required to make a contract for pneumatic-tube service. So that the whole question of the use or the abandonment of pneumatic tubes for transporting the mails—and that is the only question that is being argued here—depends upon the adoption or rejection of this amendment. It must be general legislation if that is the case, and it seems to me that it is the case and can not be denied.

The PRESIDING OFFICER. The House entered into that subject and provided for the continuance of the service now existing; and the House, having entered into that subject, under the rulings heretofore made in analogous cases by the Vice President, the amendment would be in order; that is, as to the first division of the amendment, which the Chair will be compelled to hold is in order.

The second division, creating a commission and authorizing the employment of experts and other assistants, is clearly general legislation, and the point of order will be sustained as to that.

Mr. POINDEXTER. I will take an appeal from the decision of the Chair.

Mr. VARDAMAN. May I ask the Chair to state definitely to me what part of the amendment he holds not to be in order?

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. LODGE] asked to have the amendment divided. The first division is that down to and including the word "authorized," in line 20. To that part of the amendment the Chair overrules the point of order, but sustains it as to the remainder of the amendment, on the theory that the remainder is new legislation.

Mr. VARDAMAN. The Chair holds, then, that the amendment is in order down to line 20?

The PRESIDING OFFICER. Yes.

Mr. MARTINE of New Jersey. I should like to ask what effect that ruling will have on the amendment as a whole?

The PRESIDING OFFICER. The amendment stands down to line 20.

Mr. MARTINE of New Jersey. Mr. President, I am a member of the Committee on Post Offices and Post Roads, and listened very diligently and industriously to the whole discussion of the pneumatic-tube service. I feel that I am doing my duty to the constituency I represent and to the United States just as zealously as is the Senator from Mississippi when I utterly disagree with his conclusions.

Pneumatic tubes are a very practical method of mail transportation. It is true the Postmaster General rebels against it; it is true that a commission, selected, I believe, by the Post Office authorities, made an investigation and submitted a report urging the discontinuance of the pneumatic-tube service; but before the Committee on Post Offices and Post Roads we had very extensive hearings, running for some six or seven days. Mayor Mitchel,

of the city of New York, appeared before us and declared in the most positive terms that it would be a step backward and a disaster to the mercantile and commercial interests of New York to have the pneumatic-tube system abandoned. We also had before us the postmaster of the city of New York, whose name was given, I think, by the Senator from New York, who declared in equally positive terms that the pneumatic tubes furnished a most efficient adjunct to New York's postal facilities, and that they would not know what to do without that service. We also had before us merchants ad libitum, prominent business men and commercial men, who, without reference to party or partisan considerations, gave testimony of the value of this service because of their great interest in the commerce and business of New York. We had before us the official who has charge of the traffic of the city, and asked him what would be the condition if the travel should be augmented in the congested sections of New York. He said the result would be nothing less than disastrous. The universal consensus of opinion was that we would not be doing our duty toward transportation in the city of New York and the mail facilities of that great community if we did not adhere to the present system. We were told of the frequent congestion on the railroads, of their being held up by snow and troubles caused by other conditions. I imagine that some investigations which have been made in the past were very cursorily made. They did not get together at all the citizens whose business interests were affected, and the public knew nothing of them.

Then there appeared before the committee representatives from the city of Boston. I do not know whether we had before us the mayor of that city, but we had members of the board of trade and of the chamber of commerce, the postmaster, and representatives of commercial and mercantile interests, who brought photographs showing the conditions of congestion in the narrow, crooked streets of that busy metropolis. We listened to them and listened to the merchants and to the officials connected with the service.

Mr. VARDAMAN. Will the Senator yield to me for a question?

Mr. MARTINE of New Jersey. Certainly; I will be more generous than the Senator was with me.

Mr. VARDAMAN. I do not think the Senator could be.

Mr. MARTINE of New Jersey. I will listen to the Senator's question.

Mr. VARDAMAN. I merely want to ask the Senator if he intends to state what the postmaster of Boston, the postmasters of Chicago, of Philadelphia, and of St. Louis said about it. They are Government officials charged with a very serious duty.

Mr. MARTINE of New Jersey. I have no reflection to make upon the Government officials. I have no reflection to make upon the Postmaster General nor this commission that the Postmaster General instigated or started; but I have just this to say, as a simple human being: Their judgment in practical matters is no better than mine and no better than that of the Senator from Mississippi. In the light of all the information that we have, as I say, from the city of New York and from Brooklyn—one city—my judgment was, and the judgment of the committee, was that it was wise to continue the tube system. We had before us these gentlemen from Boston, and their consensus of opinion was just in the same direction, that it would be a step backward and a disaster. We had that opinion in Philadelphia as well. Of course Philadelphia is situated rather differently from some of the others. Their streets are straight and not as crooked as they are in Boston; but we have the testimony of the gentlemen connected with the Post Office Department that on Chestnut Street and some of those narrow streets which are only one-way-travel streets in the city of Philadelphia, anything like abandoning this pneumatic-tube service would add to the congestion, and be a danger and a disaster. We did have the matter of St. Louis, that the Senator mentioned. It is true, with reference to carrying it out to East St. Louis—I think that was the plea that was brought before us—I thought that was not so well substantiated. But in Chicago the testimony was universal that it would be a step backward, and that it would be unwise for us to abandon the tube system. It would multiply the congestion on the streets and would not facilitate the mail transportation in these great cities.

Now, of course, I heard a good deal of talk to the effect that there was a "job" in it. I feel that \$17,000 a mile is too high a yearly rental for the Government to pay. I have always advocated, but particularly since this came to me I have felt, that the Government of the United States should own this system as much as they own the mailbags that carry the mail. They should own this transportation system, this underground system. I think that \$17,000 per mile is too much; but our suggestion—

Mr. THOMAS. Mr. President, may I interrupt the Senator? The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. MARTINE of New Jersey. Yes, sir.

Mr. THOMAS. I should like to inquire whether the company or companies—

Mr. MARTINE of New Jersey. Two companies, I think, own all the tubes in these five cities.

Mr. THOMAS. Whether they pay to the cities anything for the use of the streets?

Mr. MARTINE of New Jersey. I can not answer that question. They spoke about the cost of construction, which, I thought, was padded up too high. I do not know whether they pay for their franchise or not. They pay for their patents, I understand. I think I asked that of one of these gentlemen, but I got no satisfactory response.

Mr. THOMAS. They probably do not.

Mr. MARTINE of New Jersey. I think very likely they do not. But, as I say, I am in favor of the Government becoming the owner; and I think our proposition as presented by the committee is a laudable one, a straightforward one, and a businesslike proposition.

Of course, we can not take over these tubes in a trice. We can not take them over by simply saying so. We must appraise their value and arrange for payment for them. In the meantime it would be a misfortune and a disaster to the mercantile and commercial public to have their mails stagnate. So we submit a proposition for a re-lease or a renewal of the contract for a time—I can not just recall the time specified in the bill—that a renewal of the contract shall be made for a specified time, and that then a commission shall be appointed to appraise the value of the system, and let the Government take it over.

I tell you, Mr. President, you can hardly picture the situation in the city of Boston, or in the city of New York, or in the other congested cities where travel is simply intense and people are crowded in almost like sardines in a box; so that it is a crime, I believe, for us to add to the congestion by adding new automobiles or means of transportation when we have a method underneath the surface that can transport this mail and is doing it. I asked every one—I think the Senator from Mississippi was present—whether it was doing efficient service now. The answer was, "Yes," in New York. "Is it doing efficient service?" I asked of the gentleman in St. Louis. "Yes." "Is it doing efficient service in Boston?" "Yes."

Mr. VARDAMAN. I think the great congestion was in Boston.

Mr. MARTINE of New Jersey. It is.

Mr. VARDAMAN. Now, of course, the wagons employed to carry the mail are not so numerous as the wagons employed to deliver goods, and yet this Boston system that was designed to convey merchandise underground has been abandoned as a useless and expensive system, and it is remarkable that the business interests of Boston did not urge them to continue it.

Mr. MARTINE of New Jersey. Whether it was abandoned because it was an expensive method or not, I do not know. In answer to the Senator from Colorado, who raised the question whether this system was not first built for the carriage of parcels, I will say that it was; but that does not militate against its usefulness. It was finally narrowed down to an 8-inch tube. I think it was originally from 10 to 20 inches. It has narrowed down to an 8-inch tube in Boston. That does not militate against it.

Why, sir, at this very day in London they are building tubes run by atmospheric pressure, for the purpose of carrying and transporting the mails, that are infinitely more than 8 inches in diameter. They are tremendous in size. It is not entirely confined to a small tube. Why, sir, it was my experience, I will say, to have ridden, many years ago—it makes me feel old when I think of it—for two blocks on Broadway in a tunnel that was known as the Beach pneumatic tube. That tunnel was 7 feet in diameter and had a car fitting in it with a tightly fitting piston, and I was driven two blocks backward and forward, to and fro, with a pneumatic system.

I do feel, Mr. President, that the abandonment of this service would be a step backward. I feel that we were entirely justified in making the report that emanated from the committee of which the Senator from Alabama [Mr. BANKHEAD] is chairman, and I hope the Senate of the United States will ratify this feature whatever else they may do.

Mr. WALSH. Mr. President, a parliamentary inquiry. I ask if it is the understanding of the Chair that an amendment proposed by a committee may be divided for the purpose of the application of the rule which forbids an amendment contemplating general legislation?

My understanding of the practice which has heretofore prevailed here, practically without exception, is that any amendment tendered is obnoxious to the rule if it contains in any part of it general legislation; and that for the reason that the amendment tendered must necessarily be considered as a whole, each part of the amendment being an inducement for the reporting of every other part of the amendment.

In this particular instance it may well be assumed that the second part of the amendment was put on to meet the objections of those who found the first part objectionable without it; in other words, that the committee would not have reported the first part of the amendment if the second part were not incorporated in the amendment. It occurs to me that it does violence to the action of the committee to cut from the amendment an essential part of it and proceed to the consideration of the remainder, which may not ever have received the concurrence of the committee.

But, Mr. President, without any regard to the particular features of this amendment I think I speak from a very accurate recollection of repeated rulings of the Chair to the effect that an amendment must be regarded as a whole, and that if in any of its features it makes provision for general legislation, the objection lies against the amendment.

Mr. LEWIS. Mr. President, I should like to point out to my able friend from Montana the fallacy of his logic, as I see it.

The rule prohibits an attempt at general legislation upon an appropriation bill. Supposing a whole paragraph contained 10 lines of matter wholly appropriate, and it had a period, and then two lines beginning with a paragraph that really did amount to general legislation. The obnoxious part of the paragraph would be that part that violated the rule. That which was wholly permissible would be that part that did not violate the rule. The fact that a part that was wholly separate might violate the rule would not justify the denouncing of the whole paragraph and chapter, much of which in nowise violated the rule.

The able Senator from Montana—a most excellent lawyer, with renown in the country of the West where he lives—has too often confronted the proposition that a paragraph in an act may be unconstitutional, but the whole act does not fall thereby; a provision in a law may be invalid, but the whole law in all its provisions does not fall thereby. Therefore, I think the real test must be that part of the law or that part of the provision which in itself is the violation, not all the remainder, which in no wise may be in itself, in its subject matter, or in its relation a violation.

Therefore, I take issue with the viewpoint of the able Senator from Montana in the legal deduction which he assumes to draw; and I, of course, favor, as I am naturally favorable to, the position taken by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. President, it makes no difference what the purpose of the committee was in offering the amendment, or what the purpose of a Senator is in offering an amendment, the right to ask for a division of the question under debate is an absolute right vested in any Senator. There is no limitation on the purpose; he may have it divided. I asked to have it divided before I discussed the point of order. The rule is plain:

If the question in debate contains several propositions, any Senator may have the same divided.

The PRESIDING OFFICER. The Chair sees no escape from Rule XVIII:

If the question in debate contains several propositions, any Senator may have the same divided.

Mr. GALLINGER. Mr. President, the Book of Precedents has almost innumerable instances where amendments have been divided. If there were any need of it, the Presiding Officer might turn to page 35 in the Book of Precedents and he would see that as far back as 1820, and again in 1859, this question was up; and in every instance it was ruled that if an amendment was properly divisible, the division could be demanded. There is no question about it.

Mr. WALSH. Mr. President, I trust the Senator from New Hampshire is not of the opinion that the Senator from Montana ever questioned the right to have an amendment divided for the purpose of voting on the amendment.

Mr. GALLINGER. I did understand that that was the Senator's position.

Mr. WALSH. I certainly did not intend to convey that idea. Of course, I recognize the right to have an amendment divided into various propositions and to have a vote taken upon the various propositions. That is not the question at all. The

precedent that would be pertinent to the case would be a precedent which permitted the question to be divided in order to determine the application of the rule against general legislation. That was the question that I submitted.

Mr. GALLINGER. When the question was divided the rule would be invoked against each division of the question.

Mr. LODGE. It has been.

Mr. GALLINGER. And it has been.

Mr. WALSH. That is what has been done; but I have in mind a specific instance in which the Vice President, being in the chair, as my recollection is, ruled that it could not be done; that the amendment must be regarded as an entirety. It was an Indian appropriation bill, and the bill carried an appropriation in relation to the Blackfeet Indian Reservation, and then carried an extensive provision in relation to opening a portion of the Blackfeet Reservation. The point of order was raised by the Senator from Kansas [Mr. CURTIS]. He pointed out that it was an appropriation which contained general legislation. That was conceded, and the whole amendment went out; and the bill went back to the committee, which reported back simply the appropriation feature.

Mr. GALLINGER. I do not recall that instance. I am sorry if the Vice President did make a ruling of that kind, because it certainly is contrary to most of the precedents of the Senate during the time I have been in the service of the Senate. It may be that in that instance the point of order would lie against both provisions of the bill. I do not know the circumstances of it.

Mr. BRYAN. Mr. President, I remember that the decision was made by the Chair on the Post Office appropriation bill last year that you had to take the whole amendment or reject it; that it all had to stand or fall together; but it was not the Vice President who made that ruling. It was the Senator from Montana. [Laughter.]

Mr. WEEKS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Chair would suggest that if the Senate is to adjourn at 6 o'clock, it might be a good plan to let this matter go over until to-morrow, and then the Vice President will be here.

Mr. WEEKS. In what shape is it?

Mr. BRYAN. Mr. President, I want to say one word more, and then I shall be through.

I do not believe the second part or any part of this amendment is subject to a point of order. The proviso is a limitation upon the appropriation. It seems to me it is a stretch of language to say that Congress can not create a commission merely to report back to Congress, and call that general legislation in the sense meant by the rule.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Mississippi?

Mr. BRYAN. I do.

Mr. VARDAMAN. I have such great respect for the Senator's knowledge of parliamentary law that I dislike to imperil my own reputation by differing from him, but I want to ask the Senator if the law providing that the Postmaster General shall have this investigation made and the result of it reported before another contract shall be made is in force to-day?

Mr. BRYAN. No; the contract is about to expire, or has expired once, and my recollection is that Congress last year extended it for a few months. That is not the point covered in this amendment, however. The House provision appropriates the money. The Senate amendment makes the same appropriation, but provides that the Postmaster General shall continue existing contracts.

Mr. VARDAMAN. Does the Senator think that if the Senate had concurred in the House provision the Postmaster General under that act would have been compelled to renew the contract?

Mr. BRYAN. Undoubtedly the Postmaster General would have been required to pay for the pneumatic-tube service in these cities under the House language.

Mr. VARDAMAN. It does not repeal the existing law, which says that he shall do certain things before he can make the contract?

Mr. BRYAN. No; but the Senator confuses the House rule with the Senate rule. In the House you can not change existing law. That is their rule. Our rule says nothing about existing law.

Mr. LODGE. Nothing whatever.

Mr. BRYAN. The test here is whether or not it is general legislation.

Mr. LODGE. Mr. President—

Mr. VARDAMAN. But the Senator does not, perhaps, understand—

The PRESIDING OFFICER. To whom does the Senator yield? The Senator from Florida has the floor.

Mr. BRYAN. I only rose to answer a question.

Mr. VARDAMAN. If I may be permitted to do so, I wanted to get the Senator's opinion about that. The idea which I want to bring out is the fact that there is a law now upon the statute book under which the Postmaster General acted in making this investigation. That law requires him to make this investigation before any contract could be renewed.

Mr. BRYAN. Yes. That commission has expired, however.

Mr. VARDAMAN. The Senator thinks that that law is exhausted, does he?

Mr. BRYAN. The commission has made its report.

Mr. VARDAMAN. I know it is the opinion of men who have given thought to this question in the House that the provision in that bill would not compel the Postmaster General to act if the Senate agreed with the House and adopted the House provision. Now, in order to do that you have gone ahead and repealed a general law, an existing law, by amendment onto an appropriation bill.

Mr. BRYAN. No.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. BRYAN. I yield.

Mr. LODGE. The law directed the commission to report a year ago last December and the time expired. The report was not sent in in conformity with law. It dragged along and dragged along and nothing was done. Congress made another appropriation and the Postmaster General saw fit not to expend it.

Mr. BRYAN. What the Senator from Mississippi has in mind is this: The House made an appropriation placing it within the power of the Postmaster General not to expend the money. The amendment provides that he shall expend the money by continuing this service for a year.

Mr. WEEKS. Mr. President, I wish to understand the parliamentary situation. I understand that the Senator from Washington has appealed from the decision of the Chair. If the Senate adjourns now, would that open up this whole question in the Senate to-morrow?

The PRESIDING OFFICER. The Chair did understand that an appeal was taken, so that it will open up the whole question to-morrow.

Mr. POINDEXTER. An appeal was taken, and one purpose I had in rising was in order to call attention to it so that there would be no uncertainty about it.

In this connection, as it will go over until to-morrow, I should like to say, in order that it may be in the RECORD in the morning when the matter comes up as the basis of the point of order which I have made and of the appeal, that the appeal is only taken from that portion of the Chair's ruling which overruled the point of order as to that portion of the amendment on page 15, from line 12 down to and including the word "authorized" in line 20. The Postmaster General or the First Assistant Postmaster General filed a statement here from which the Senator from Mississippi has read. I do not care to encumber the RECORD by a mere repetition of it, but he says if this amendment is adopted it will compel the expenditure by the Government of \$613,000, which would do the Government no good whatever. If the amendment is not adopted, not a dollar of that amount will have to be expended. In other words, here is a proposed law compelling contracts by the Government which will cost the Government nearly three-quarters of a million dollars and establishing a service which, without the adoption of the amendment, would not exist.

In view of this it is clearly general legislation. The vital and substantial thing in this whole controversy is about what is involved and provided for in this amendment, and in the first part of the amendment, the point of order against which was overruled.

The PRESIDING OFFICER. The Chair desires to say that the Chair agrees with the Senator that it is general legislation, but the House entered on that part of the subject, and consequently the Senate can enlarge it and offer such amendments as may be desired. Upon that part of the amendment the Chair ruled in conformity with what the Chair understands has heretofore been held on that subject by the Vice President.

Mr. POINDEXTER. I appreciate the theory upon which the Chair has ruled, and if the facts in the case were as the Chair construes them to be in this provision, I would agree with the Chair, for I think that is a correct principle. But I differ with

the construction which the Chair places upon the House provision. There is nothing whatever in the House provision establishing this pneumatic-tube service for the year ending June 30, 1918. There is not a word authorizing or attempting to authorize the establishment of any such service. There is no provision in regard to it. It is entirely new matter inserted in the Senate committee amendment. The appropriation of money for pneumatic-tube service by the House, as the House provision stood, could be expended and used by the Postmaster General for that purpose or not, as he saw fit. It was a mere appropriation of money under the existing law. The portion of the amendment to which I am addressing myself takes out of the discretion of the Postmaster General the matter of establishing this pneumatic service and establishes it by law. Consequently it is new matter.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. POINDEXTER. I make the point of no quorum.

Mr. LEWIS. Had we not better adjourn?

Mr. BANKHEAD. I move that the Senate adjourn.

Mr. POINDEXTER. The point of no quorum has been made, but I withdraw it.

Mr. LODGE. That does not lie against a motion to adjourn.

Mr. POINDEXTER. It was made first.

The PRESIDING OFFICER. The question is on the motion of the Senator from Alabama that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 14, 1917, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 13, 1917.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, look down from Thy throne of justice, mercy, and good will upon Thy children everywhere, and inspire them with higher ideals, purer motives, and earnest endeavors; that ignorance may give way to wisdom, error to truth, and all wrongs be righted; that peace and righteousness may prevail, that the dear old earth may blossom as the rose in every nook and corner, and Thy will be done in every heart through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

AMENDMENT OF GENERAL DAM ACT.

Mr. ADAMSON. Mr. Speaker, I would like to call up the conference report printed in the RECORD this morning on the bill S. 3331.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

Mr. ADAMSON. Wait a minute.

Mr. MOORE of Pennsylvania. How long will it take?

Mr. ADAMSON. Only a moment.

Mr. MOORE of Pennsylvania. I withdraw my request for a moment.

Mr. MANN. Is that a conference report on the dam bill?

Mr. ADAMSON. Yes.

Mr. MANN. There might be quite a discussion of the bill in the House.

Mr. ADAMSON. I should think not. If any discussion comes it would be on any action the Senate might take afterwards.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

The SPEAKER. The Clerk will read the report.

Mr. ADAMSON. Mr. Speaker, the gentleman from Illinois [Mr. MANN] requests that I let it go over temporarily until the naval bill is disposed of. If I can be recognized then, I will agree to that.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 18551. An act granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River; and